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JOURNAL  
OF THE  
HOUSE

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2013 SESSION

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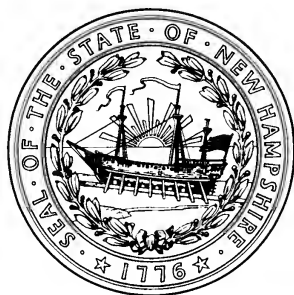
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SPECIAL SESSION  
OF  
NOVEMBER 2013

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# NEW HAMPSHIRE GENERAL COURT



## JOURNAL of the HOUSE OF REPRESENTATIVES

Containing the 2013 Session  
December 5, 2012  
through  
January 8, 2014  
and

the Special Session of  
November 7, 2013  
through  
November 21, 2013

TERIE NORELLI  
SPEAKER

KAREN O. WADSWORTH  
CLERK

WALTER SWORD  
SERGEANT-AT-ARMS

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# HOUSE JOURNAL No. 1

Wednesday, December 5, 2012

On the first Wednesday in December in the year of our Lord, two thousand twelve, it being the day designated by the Constitution for assembling for organizational purposes, the one hundred and sixty-third General Court of the State of New Hampshire convened at the Capitol in the City of Concord. The Representatives-elect were called to order by Karen O. Wadsworth, Clerk of the House for the preceding session.

Prayer was offered by the Reverend Canon Charles LaFond, Canon for Congregational Life of the Episcopal Diocese of New Hampshire.

In the holiness of the silent longings of our hearts and souls, we meet the One who is and call whatever name we call. We come together to lead this State of New Hampshire where our longings for compassion and justice rise. Enlarge them to right action. When we believe our own thoughts or our thoughts about others' thoughts, as if they are facts, soften our attachments. When warfare between us enters our conversation, inspire us to keep warfare on paper. Where our egos swell and posture, reduce them. Where faith's humility gives way to our prideful certainty, forgive us. Be our helper so that before we speak, we ask ourselves: Is it kind? Is it true? Does it improve on the silence? Amen.

Representative-elect Angeline Kopka of Nashua led the Pledge of Allegiance.

Representative-elect Neal Kurk of Weare led the singing of the National Anthem.

## CALL OF THE ROLL

### BELKNAP COUNTY

<b>Dist. No. 1 (1)</b>	Ruth P. Gulick, d
<b>Dist. No. 2 (4)</b>	Lisa DiMartino, d; Robert H. Greemore, r; Herbert R. Vadney, r; Colette Worsman, r
<b>Dist. No. 3 (4)</b>	Donald H. Flanders, r; David O. Huot, d; Robert A. Luther, r; Franklin T. Tilton, r
<b>Dist. No. 4 (2)</b>	Dennis H. Fields, r; Ian P. Raymond, d
<b>Dist. No. 5 (2)</b>	Richard B. Burchell, r; Stephen Holmes, r
<b>Dist. No. 6 (2)</b>	Charles R. Fink, r; Michael J. Sylvia, r
<b>Dist. No. 7 (1)</b>	Guy Comtois, r
<b>Dist. No. 8 (1)</b>	Jane Cormier, r
<b>Dist. No. 9 (1)</b>	Beth R. Arsenault, d

### CARROLL COUNTY

<b>Dist. No. 1 (1)</b>	Gene G. Chandler, r
<b>Dist. No. 2 (3)</b>	Thomas L. Bucu, d; Karen C. Umberger, r; Syndi G. White, d
<b>Dist. No. 3 (2)</b>	Mark E. McConkey, r; Susan J. Ticehurst, d
<b>Dist. No. 4 (2)</b>	Glenn Cordelli, r; Karel A. Crawford, r
<b>Dist. No. 5 (3)</b>	Tom Lavender, d; Harry C. Merrow, r; Bill G. Nelson, r
<b>Dist. No. 6 (2)</b>	Christopher J. Ahlgren, r; Stephen J. Schmidt, r
<b>Dist. No. 7 (1)</b>	Edward A. Butler, d
<b>Dist. No. 8 (1)</b>	Donald S. Wright, r

### CHESHIRE COUNTY

<b>Dist. No. 1 (4)</b>	Paul S. Berch, d; William Butynski, d; Tara A. Sad, d; Lucy M. Weber, d
<b>Dist. No. 2 (1)</b>	John E. Mann, d
<b>Dist. No. 3 (1)</b>	Daniel A. Eaton, d
<b>Dist. No. 4 (1)</b>	Kris E. Roberts, d
<b>Dist. No. 5 (1)</b>	Larry R. Phillips, d
<b>Dist. No. 6 (1)</b>	Timothy N. Robertson, d
<b>Dist. No. 7 (1)</b>	Gladys Johnsen, d

<b>Dist. No. 8 (1)</b>	Cynthia L. Chase, d
<b>Dist. No. 9 (2)</b>	Richard Ames, d; Douglas A. Ley, d
<b>Dist. No. 10 (1)</b>	Marjorie J. Shepardson, d
<b>Dist. No. 11 (2)</b>	John B. Hunt, r
<b>Dist. No. 12 (2)</b>	Jane B. Johnson, r; Alfred C. Lerandean, d
<b>Dist. No. 13 (1)</b>	Henry A. L. Parkhurst, d
<b>Dist. No. 14 (1)</b>	
<b>Dist. No. 15 (1)</b>	Bruce L. Tatro, d
<b>Dist. No. 16 (2)</b>	Delmar D. Burrige, d; Charles F. Weed, d

### COOS COUNTY

<b>Dist. No. 1 (2)</b>	Larry S. Enman, d; Laurence M. Rappaport, r
<b>Dist. No. 2 (1)</b>	Wayne T. Moynihan, d
<b>Dist. No. 3 (3)</b>	Gary M. Coulombe, d&r; Robert L. Theberge, d; Yvonne D. Thomas, d
<b>Dist. No. 4 (1)</b>	Herbert D. Richardson, r
<b>Dist. No. 5 (1)</b>	Marcia Hammon, d
<b>Dist. No. 6 (1)</b>	William A. Hatch, d
<b>Dist. No. 7 (1)</b>	Leon H. Rideout, r

### GRAFTON COUNTY

<b>Dist. No. 1 (2)</b>	Ralph J. Doolan, r; Linda Massimilla, d
<b>Dist. No. 2 (1)</b>	Rebecca A. Brown, d
<b>Dist. No. 3 (1)</b>	Susan M. Ford, d
<b>Dist. No. 4 (1)</b>	Rick M. Ladd, r
<b>Dist. No. 5 (1)</b>	Edmond D. Gionet, r
<b>Dist. No. 6 (1)</b>	Lester W. Bradley, r
<b>Dist. No. 7 (1)</b>	James D. Aguiar, d
<b>Dist. No. 8 (3)</b>	Mary R. Cooney, d; Sid Lovett, d; Suzanne J. Smith, d
<b>Dist. No. 9 (2)</b>	Jeffrey S. Shackett, r
<b>Dist. No. 10 (1)</b>	Wendy A. Piper, d
<b>Dist. No. 11 (1)</b>	Charles L. Townsend, d
<b>Dist. No. 12 (4)</b>	Bernard L. Benn, d; Patricia C. Higgins, d; Sharon Nordgren, d; Beatriz Pastor, d
<b>Dist. No. 13 (4)</b>	Susan W. Almy, d; Laurie Harding, d; George E. Sykes, d; Andrew A. White, d
<b>Dist. No. 14 (1)</b>	Brad Bailey, r;
<b>Dist. No. 15 (1)</b>	Linda D. Lauer, d
<b>Dist. No. 16 (1)</b>	Carol H. Friedrich, d
<b>Dist. No. 17 (1)</b>	Catherine Mulholland, d

### HILLSBOROUGH COUNTY

<b>Dist. No. 1 (2)</b>	Marjorie A. Porter, d; Gilman C. Shattuck, d
<b>Dist. No. 2 (3)</b>	Evelyn M. Connor, d; Neal M. Kurk, r
<b>Dist. No. 3 (1)</b>	Jonathan F. Manley, d
<b>Dist. No. 4 (2)</b>	Stephen P. Spratt, d; Kermit R. Williams, d
<b>Dist. No. 5 (2)</b>	William L. O'Brien, r; David Woodbury, d
<b>Dist. No. 6 (5)</b>	John A. Burt, r; Ruth E. Gage, d; John A. Hikel, r; Richard E. Meaney, r; Calvin D. Pratt, r
<b>Dist. No. 7 (6)</b>	John W. Cebrowski, r; David J. Danielson, r; John A. Graham, r; Keith Murphy, r; Kelleigh D. Murphy, r; Moe Villeneuve, r
<b>Dist. No. 8 (2)</b>	Jeffrey P. Goley, d; Peter E. Ramsey, d
<b>Dist. No. 9 (2)</b>	Linda A. DiSilvestro, d
<b>Dist. No. 10 (2)</b>	Jean L. Jeudy, d; Peter M. Sullivan, d
<b>Dist. No. 11 (2)</b>	Nickolas J. Levasseur, d; Robert M. Walsh, d
<b>Dist. No. 12 (2)</b>	Tim O'Flaherty, d; Ted Rokas, d
<b>Dist. No. 13 (2)</b>	Larry G. Gagne, r
<b>Dist. No. 14 (2)</b>	Patrick F. Garrity, d; Carol A. Williams, d
<b>Dist. No. 15 (2)</b>	Thomas Katsiantonis, d; Steve Vaillancourt, r

- Dist. No. 16 (2)** David McCloskey, d; Barbara E. Shaw, d  
**Dist. No. 17 (2)** George Katsiantonis, d; Timothy J. Smith, d  
**Dist. No. 18 (2)** Emily C. Sandblade, r; Joel F. Winters, d  
**Dist. No. 19 (2)** Robert A. Backus, d; Dick A. Marston, r  
**Dist. No. 20 (2)** Ralph G. Boehm, r; Frank A. Byron, r  
**Dist. No. 21 (8)** Richard W. Barry, r; Brenda E. Grady, d; Richard W. Hinch, r; Jeanine M. Notter, r; Tony J. Pellegrino, r; Lenette M. Peterson, r; Philip N. Straight, r; Kathleen M. Stroud, r  
**Dist. No. 22 (3)** Shannon E. Chandley, d; Robert H. Rowe, r  
**Dist. No. 23 (4)** Ruth Heden, d; Stephen J. Palmer, r; Shawn P. Sweeney, r; Robert F. Willette, r  
**Dist. No. 24 (2)** Jill Shaffer Hammond, d; Peter R. Leishman, d  
**Dist. No. 25 (2)** James E. Coffey, r; James A. Parison, r  
**Dist. No. 26 (2)** Jack B. Flanagan, r; Melanie A. Levesque, d  
**Dist. No. 27 (2)** James P. Belanger, r; Carolyn M. Gargas, r  
**Dist. No. 28 (3)** Sylvia E. Gale, d; Angeline A. Kopka, d; Janice E. Schmidt, d  
**Dist. No. 29 (3)** Paul L. Hackel, Michael J. McCarthy, r; Suzanne M. Vail, d  
**Dist. No. 30 (3)** Mariellen J. MacKay, d; Brian D. Rhodes, d; Cindy Rosenwald, d  
**Dist. No. 31 (3)** David E. Cote, d; Mary J. Gorman, d  
**Dist. No. 32 (3)** John D. Kelley, d; Donald L. LeBrun, r; David K. Murotake, r  
**Dist. No. 33 (3)** Efstathia C. Booras, d; David B. Campbell, d; Kenneth N. Gidge, d  
**Dist. No. 34 (3)** Douglas L. Carroll, d; Michael A. Garcia, d; Timothy A. Soucy, d  
**Dist. No. 35 (3)** Daniel C. Hansberry, d  
**Dist. No. 36 (3)** Linda Harriott-Gathright, d; Martin L. Jack, d; Michael B. O'Brien, d  
**Dist. No. 37 (11)** Lars T. Christiansen, r; Patrick L. Culbert, r; Robert H. Haefner, r; Shawn N. Jasper, r; Mary Ann Knowles, d; Richard D. LeVasseur, r; Lynne M. Ober, r; Russell T. Ober, r; Andrew Renzullo, r; Charlene F. Takesian, r; Jordan G. Ulery, r  
**Dist. No. 38 (2)** Richard S. Eaton, d; Richard D. McNamara, d  
**Dist. No. 39 (1)** Mark Warden, r  
**Dist. No. 40 (1)** Gary L. Daniels, r  
**Dist. No. 41 (1)** Laurie J. Sanborn, r  
**Dist. No. 42 (2)** Patrick T. Long, d; Daniel J. Sullivan, d  
**Dist. No. 43 (3)** Jeremy S. Dobson, d; Eric Palangas, d; Kathleen F. Souza, r  
**Dist. No. 44 (2)** George A. Lambert, r; Andre A. Martel, r  
**Dist. No. 45 (2)** Jane E. Beaulieu, d; Ronald R. Boisvert, d

### MERRIMACK COUNTY

- Dist. No. 1 (1)** Mario F. Ratzki, d  
**Dist. No. 2 (2)** Scott A. Burns, d; Dennis Reed, r  
**Dist. No. 3 (2)** Joy K. Tilton, d; Leigh A. Webb, d  
**Dist. No. 4 (1)** Thomas C. Schamberg, d  
**Dist. No. 5 (2)** Karen E. Ebel, d; David H. Kidder, r  
**Dist. No. 6 (2)** Barbara C. French, d; Geoffrey D. Hirsch, d  
**Dist. No. 7 (1)** Clyde J. Carson, d  
**Dist. No. 8 (1)** Caroletta C. Alicea, d  
**Dist. No. 9 (2)** Priscilla P. Lockwood, r; Howard Moffett, d  
**Dist. No. 10 (3)** Mel Myler, d; Gary B. Richardson, d; Mary Jane Wallner, d  
**Dist. No. 11 (1)** Stephen J. Shurtleff, d  
**Dist. No. 12 (1)** Paul J. Henle, d  
**Dist. No. 13 (1)** June M. Frazer, d  
**Dist. No. 14 (1)** James R. MacKay, d  
**Dist. No. 15 (1)** Jane J. Hunt, d  
**Dist. No. 16 (1)** Rick H. Watrous, d  
**Dist. No. 17 (1)** Dick W. Patten, d  
**Dist. No. 18 (1)** Candace C. W. Bouchard, d  
**Dist. No. 19 (1)** Christy D. Bartlett, d

- Dist. No. 20 (3)** Frank W. Davis, d; Sally H. Kelly, d; Dianne E. Schuett, d
- Dist. No. 21 (2)** Mary E. Frambach, d; Dan McGuire, r
- Dist. No. 22 (1)** Alan J. Turcotte, d
- Dist. No. 23 (3)** Christopher R. Andrews, d; J. R. Hoell, r; Mary E. Walz, d
- Dist. No. 24 (4)** David W. Hess, r; Frank R. Kotowski, r; Todd P. Smith, r; Thomas C. Walsh, r
- Dist. No. 25 (1)** David B. Karrick, d
- Dist. No. 26 (1)** Lorrie J. Carey, d
- Dist. No. 27 (2)** Mary Stuart Gile, d; Chip L. Rice, d
- Dist. No. 28 (1)** Katherine D. Rogers, d
- Dist. No. 29 (1)** Carol M. McGuire, r

### ROCKINGHAM COUNTY

- Dist. No. 1 (1)** Bruce E. Hodgdon, r
- Dist. No. 2 (3)** Romeo Danaïs, r; Joe Duarte, r; Kyle J. Tasker, r
- Dist. No. 3 (3)** Franklin C. Bishop, r; Kathleen M. Hoelzel, r; Lawrence M. Kappler, r
- Dist. No. 4 (5)** Gene P. Charron, r; James E. Devine, r; Dudley D. Dumaine, r; Joseph M. Hagan, r; Stella S. Tremblay, r
- Dist. No. 5 (7)** Alfred P. Baldasaro, r; Robert E. Introne, r; David C. Lundgren, r; Betsy McKinney, r; Sherman A. Packard, r; Daniel J. Tamburello, r; Lisa I. Whittemore, d
- Dist. No. 6 (10)** Elizabeth B. Burtis, d; Brian K. Chirichiello, r; Beverly A. Ferrante, r; Robert M. Fesh, r; David E. Milz, r; John T. O'Connor, r; Frank V. Sapareto, r; David H. Thompson, r; Mary L. Till, d; James C. Webb, r
- Dist. No. 7 (4)** Mary E. Griffin, r; Walter Kolodziej, r; Charles E. McMahon, r; Kevin K. Waterhouse, r
- Dist. No. 8 (9)** Gary S. Azarian, r; Ronald J. Belanger, r; Patrick J. Bick, r; Robert J. Elliott, r; Bianca R. Garcia, r; Marilinda J. Garcia, r; Anne K. Priestley, r; Joe Sweeney, r; John Sytek, r
- Dist. No. 9 (2)** Jeffrey F. Harris, r; Barbara S. Helmstetter, d
- Dist. No. 10 (1)** Daniel C. Itse, r
- Dist. No. 11 (1)** Curtis W. Grace, r
- Dist. No. 12 (1)** Elisabeth N. Sanders, r
- Dist. No. 13 (4)** Regina M. Birdsell, r; John B. Sedensky, r; Kevin P. St. James, r; Kenneth L. Weyler, r
- Dist. No. 14 (4)** Debra L. DeSimone, r; William G. Friel, r; Jack Hayes, r; Norman L. Major, r
- Dist. No. 15 (1)** Mary M. Allen, r
- Dist. No. 16 (1)** Robert L. Nigrello, r
- Dist. No. 17 (3)** Michael D. Cahill, d; Marcia G. Moody, d; Adam R. Schroadter, r
- Dist. No. 18 (4)** Steven J. Briden, d; Eileen C. Flockhart, d; Frank H. Heffron, d; Donna L. Schlachman, d
- Dist. No. 19 (2)** Patrick F. Abrami, r; Timothy D. Copeland, r
- Dist. No. 20 (3)** Aboul B. Khan, r; Amy S. Perkins, r; Lawrence B. Perkins, r
- Dist. No. 21 (4)** Robert R. Cushing, d; J. Tracy Emerick, r; Chris Muns, d; Frederick C. Rice, r
- Dist. No. 22 (1)** Michele S. Peckham, r
- Dist. No. 23 (1)** Pamela Z. Tucker, r
- Dist. No. 24 (2)** David A. Borden, d; Thomas M. Sherman, d
- Dist. No. 25 (1)** Laura C. Pantelakos, d
- Dist. No. 26 (1)** Terie Norelli, d
- Dist. No. 27 (1)** Rebecca Emerson-Brown, d
- Dist. No. 28 (1)** Gerald W. R. Ward, d
- Dist. No. 29 (1)** Brian Wazlaw, d
- Dist. No. 30 (1)** Jacqueline A. Cali-Pitts, d
- Dist. No. 31 (1)** Joe W. Scarlotto, d
- Dist. No. 32 (1)** Maureen R. Mann, d
- Dist. No. 33 (1)** Timothy P. Comerford, r
- Dist. No. 34 (1)** Jeffrey D. Oligny, r
- Dist. No. 35 (1)** Richard E. Gordon, r

- Dist. No. 36 (1)** Patricia T. Lovejoy, d  
**Dist. No. 37 (1)** E. Elaine Andrews-Ahearn, d

### STRAFFORD COUNTY

- Dist. No. 1 (2)** John A. Mullen, r; Robbie L. Parsons, r  
**Dist. No. 2 (2)** Rachel B. Burke, d; Joseph A. Pitre, r  
**Dist. No. 3 (2)** David A. Bickford, r; Robert J. Perry, d  
**Dist. No. 4 (2)** Kenneth Grossman, d; Dennis J. Malloy, d  
**Dist. No. 5 (1)** Naida L. Kaen, d  
**Dist. No. 6 (5)** Philip E. Ginsburg, d; Timothy O. Horrigan, d; Marjorie K. Smith, d; Judith T. Spang, d; Janet G. Wall, d&r  
**Dist. No. 7 (1)** Audrey M. Stevens, d  
**Dist. No. 8 (1)** James P. Gray, r  
**Dist. No. 9 (1)** Steven P. Beaudoin, r  
**Dist. No. 10 (1)** Warren J. Groen, r  
**Dist. No. 11 (1)** Anne C. Grassie, d  
**Dist. No. 12 (1)** Pamela J. Hubbard, d  
**Dist. No. 13 (1)** James Verschueren, d  
**Dist. No. 14 (1)** William S. Baber, d  
**Dist. No. 15 (1)** Janice S. Gardner, d  
**Dist. No. 16 (1)** Dorothea D. Hooper, d  
**Dist. No. 17 (3)** Peter W. Bixby, d; Greg Burdwood, d; Stephen M. Ketel, d  
**Dist. No. 18 (3)** Roger R. Berube, d; Deanna S. Rollo, d; Dale S. Spainhower, d  
**Dist. No. 19 (1)** Peter B. Schmidt, d  
**Dist. No. 20 (1)** Marsha L. Pelletier, d  
**Dist. No. 21 (1)** Kenneth J. Ward, d  
**Dist. No. 22 (1)** Rose Marie Rogers, d  
**Dist. No. 23 (1)** David P. Miller, d  
**Dist. No. 24 (1)** Laura M. Jones, r  
**Dist. No. 25 (1)** H. Robert Menear, d

### SULLIVAN COUNTY

- Dist. No. 1 (2)** Andrew R. Schmidt, d  
**Dist. No. 2 (1)** Suzanne H. Gottling, d  
**Dist. No. 3 (1)** Andrew S. O'Hearne, d  
**Dist. No. 4 (1)** Thomas E. Donovan, d  
**Dist. No. 5 (1)** Raymond G. Gagnon, d  
**Dist. No. 6 (2)** Virginia Irwin, d; Skip Rollins, r  
**Dist. No. 7 (1)** James L. Grenier, r  
**Dist. No. 8 (1)** Cynthia P. Sweeney, d  
**Dist. No. 9 (1)** Linda L. Tanner, d  
**Dist. No. 10 (1)** John R. Cloutier, d  
**Dist. No. 11 (1)** Steven D. Smith, r

With 389 members-elect having answered the call of the roll, a quorum was declared present.

### RESOLUTION

Representative-elect Norelli and Chandler offered the following: **RESOLVED**, that a committee be appointed to wait upon the Governor and the Honorable Council to inform them that a quorum of the House is assembled and requests their attendance.  
 Adopted.

The Chair appointed the following: Representatives-elect Pantelakos, Wallner, Cote and Chandler.

### INTRODUCTION OF GUESTS

Julianne, Caroline, Angela and Mark Bailey and Mary Kate Doherty, wife, daughter, mother, brother and guest of Rep-Elect Bailey. The Honorable Maurice Pilotte, former member from Manchester and his wife Gloria, guests of Rep-Elect Shaw. Richard Frambach, husband of Rep-Elect Frambach. Cheryl

Houston, Reed and Peggy Ueda, wife and guests of Rep-Elect McNamara. Atinuke Cahill, wife of Rep-Elect Cahill. Sharon Dunn and Jay Ginsburg, wife and guest of Rep-Elect Berch. Peter Bartlett, husband of Rep-Elect Bartlett. Pam and Jamie Tsirigotis, Louis and Charles Booras, Brenda Orde and Vicky Batzoyiannis, daughters, brother, father, and guests of Rep-Elect Booras. The Honorable Claire Clarke, former member from Boscawen, Christian, Andrew Sr., Stephanie, Andrew Jr. and Samuel Alicea and German Sanchez, mother, sons, daughter, grandsons and guest of Rep-Elect Alicea. Gary Sparks, Doreen Robertson, Kay Day, Karen Primiano, Marion Noble and Don Winchester and their daughter Marion Anne, guests of Rep-Elect Porter. Peter Mulcahy, guest of Rep-Elect Burchell. Marjorie Hayes, wife of Rep-Elect Hayes. Florence, William Sr., Lorraine, Kathleen, Joseph, Joshua and Jordyn Friel, mother, father, sister, wife, sons and daughter of Rep-Elect Friel. John Grady, husband of Rep-Elect Grady. Karen Lee Simpson and Zachary Laurencelle, guests of Rep-Elect Peterson. Jill Mullen, wife of Rep-Elect Mullen. Robyn Manley, wife of Rep-Elect Manley. Joan Nelson, wife of Rep-Elect Bill Nelson. Richard Popov, guest of Rep-Elect Menear. Christine Cordelli, wife of Rep-Elect Cordelli. Laurel O'Connor, wife of Rep-Elect O'Connor. Andrew and Sheila Allen-Harris, son and wife of Rep-Elect Harris. Samantha Shepard, daughter of Rep-Elect Vail. Kathryn Grace, Dorris and Charles Richmond, wife, mother and stepfather of Rep-Elect Grace. Karl and Wayne Marston, son and brother of Rep-Elect Marston. Terri Kappler, wife of Rep-Elect Kappler. Glen Aldrich, guest of Rep-Elect Sylvia. Michael Pedersen, Pamela Brown, Dalia Vidunas and Lillye Ramos-Spooner, guests of Rep-Elect Gale. Laura Malloy, wife of Rep-Elect Malloy. Holly Grossman, wife of Rep-Elect Grossman. Ronna Hamlen and David Spiegel, guests of Rep-Elect Moody. Carlo Nittoli, spouse of Rep-Elect Verschuere. Kristine Baber and Debbie Bodell, wife and guest of Rep-Elect Baber. Gale Schmidt, Bruce Sooy and Marilyn Smith, wife and guests of Rep-Elect Andrew Schmidt. Chris Turcotte, Trisha Ellis and Ryan Bond, son, daughter and grandson of Rep-Elect Turcotte. Caroline Moulton Ratzki, wife of Rep-Elect Ratzki. Gerald and Nancy Desmarais, parents of Rep-Elect Sanborn. Kathy Carson, wife of Rep-Elect Carson. Vernon, Alexandria and Master Sergeant Michael MacKay US Air Force, Kensington Police Chief Michael Sielicki and wife Kim, Paul Boynton, Maureen Rose-Julian, Sharon Stephens, Lisa Hatz Barbara Didona and Joan Holleran, husband, daughter, son and guests of Rep-Elect Mariellen MacKay. Lori Schoolcraft, Tammy and Tim Seikmann, daughter and guests of Rep-Elect Whittemore. Laurie Burdwood, wife of Rep-Elect Burdwood. Allen Norelli, husband of Rep-Elect Norelli. Barbara Elliot and Michael Slathers, wife and guest of Rep-Elect Elliot. James, Jahmar, and Jankay Gathright, Jamila Gathright-Scales, Yvone Tines, Olga Tines-Smith, Irving Scales Jr., Jamila Ashanti Scales, Irving Scales III and Dymier Hyde, husband, son, daughters, sisters, son-in-law, granddaughter and grandsons of Rep-Elect Harriot-Gathright. Robert DeSimone, husband of Rep-Elect DeSimone. Clinton and Deborah Patten and Janice Boynton, father, wife and guest of Rep-Elect Patten. Martha Karrick, wife of Rep-Elect Karrick. Charlene Maloney and Pearl Lyman, daughters of Rep-Elect Pantelakos. Linda Carroll, Brenda Bryne and Wandalee Silva, mother, aunt and guest of Rep-Elect Carroll. Atlant Schmidt, husband of Rep-Elect Jan Schmidt. Morgan and Macneill Carey Matthews and Marshall Carey-Matthews, daughters and son of Rep-Elect Carey. Tom Silvia, Isaiah and Elizabeth Silvia-Chandley and Mary Mahar, husband, son, daughter and guest of Rep-Elect Chandley. Nancy Emerson, Jonathan and Emerson Hayden Brown, mother, husband and son of Rep-Elect Emerson-Brown. Robin Lundgren, wife of Rep-Elect Lundgren. Diann and Christopher Pitre, wife and son of Rep-Elect Pitre. Carol Perry and The Honorable Dennis Vachon, former member from Strafford, wife and guest of Rep-Elect Perry. Thomacine Murotake, wife of Rep-Elect Murotake. The Honorable Michael Rollo, former member from Rollinsford and The Honorable Caitlin Rollo, former member from Manchester and their daughter Elizabeth, son, daughter in law and granddaughter of Rep-Elect Rollo. Keith Thompson, guest of Rep-Elect Levesque. Rob, Alex and Ross Becker, husband and sons of Rep-Elect Schlachman. Debra Spratt, wife of Rep-Elect Spratt. Joe Lovejoy, husband of Rep-Elect Lovejoy. June, Matthew and Sarah Beth Huot and Rebecca Russell, wife, son, daughter in law and daughter of Rep Elect Huot. John, Olivia and Jacob White, husband, daughter and son of Rep-Elect Syndi White. V. Arthur Hammon, husband of Rep-Elect Hammon. The Honorable John Knowles, former member from Hudson, husband of Rep Elect Knowles. Candace Woodbury, wife of Rep-Elect Woodbury. Elvire Jeudy and Judy Thomas, wife and guest of Rep-Elect Jeudy.

### OATH OF OFFICE

Governor John H. Lynch, having been informed that a quorum of the House was assembled, appeared, accompanied by the Honorable Councilors Raymond S. Burton, Daniel St. Hilaire, Christopher T. Sununu, Raymond J. Wiczorek and David K. Wheeler. The members-elect, having presented their

credentials, were duly qualified by the Governor as members of the House of Representatives by taking and subscribing the oath of office agreeable to the provisions of the Constitution of the State of New Hampshire.

The Governor and Executive Councilors retired.

### ELECTION OF HOUSE SPEAKER

The Chair declared that nominations for Speaker were in order.

Rep. Shurtleff placed the name of Rep. Norelli in nomination for Speaker and spoke to the nomination. Rep. Campbell seconded the nomination.

Rep. Chandler addressed the House. There being no further nominations, Rep. Chandler moved that nominations be closed and that one ballot be cast for Rep. Norelli.

Adopted.

The Chair declared Rep. Norelli the duly-elected Speaker of the House for the 2013-2014 biennium.

The Sergeant-at-Arms escorted Speaker Norelli to the rostrum. The Speaker addressed the House.

### REMARKS

**Speaker Norelli:** Thank you and good morning everyone. First, I want to welcome back those who served in the last House session and those members who served in a previous House session, but I want to give a particularly warm welcome to those who were sworn in for the very first time today. Congratulations on your election and welcome to the New Hampshire House! I remember being in your position back in 1996. As a freshman member of the House I did not know what to expect let alone where to find the bathrooms or the tunnel. The one thing I quickly learned is that this great legislative chamber works the best when we work together. As newly elected and re-elected members of the House, we have been honored by the voters in our districts. The citizens of the great State of New Hampshire sent us here with a message. They want a Legislature that puts partisan politics aside and works, in a respectful way, on the issues that matter to Granite Staters and that is exactly what we should all plan to do. Let me be clear. We will not always agree, but we must move beyond the partisan divide and begin to work together on behalf of all of our constituents. We must keep our promises by focusing on jobs and the economy and delivering a responsible budget that meets the needs of the citizens and businesses of our state and we certainly must end the harshness in the air that has so plagued the House these last two years. During my previous terms as Speaker, I tried to focus on ensuring that all members were heard and included in the process. Just because one political party holds a majority does not mean the other political party is irrelevant, in fact, each of our votes matter just as much. It is near impossible to work together on the issues that face our state if you do not meet with each other to talk. As Speaker, I will return to having weekly meetings with the Republican and Democratic caucus leaders. This is a small step, but it is a meaningful one. We have all been given a special trust by the voters who sent us here. We owe it to them and to each other to live up to that trust. We must have an open and transparent process that allows us to work on behalf of our state, not our parties or special interests. These next two years will be challenging ones and we will face no shortage of difficult decisions. The question before us is not whether we will face these challenges; but rather when we face them, will we work together to find common ground and compromise or will we resort to politics as usual? I hope we all choose common ground and compromise. I believe Granite Staters have grown wary of the lack of cooperation in government. Let us work together to show them we have heard their concerns and we have made them a priority as we do their business. I want to take a moment to thank my husband, Allen, who is here in the gallery and both of my children, who are unable to be here, for their unwavering support. And I want to thank all of your families for their willingness to take on a greater workload at home in order to allow us the time to work on behalf of the citizens of New Hampshire in the only truly volunteer legislature in the country. I know I say thank you from all of us. Lastly, in the spirit of starting off on the right foot in building relationships, I want to invite all House members and their guests to come by the Speaker's Office after session to share cookies and cider. Congratulations again, and thank you for the trust you have placed in me as your Speaker. I look forward to working with you as we move our great state forward.

### ELECTION OF HOUSE OFFICERS

The Speaker declared nominations were in order for Clerk of the House.



Rep. Sad placed in nomination the name of Karen O. Wadsworth for Clerk of the House.

Rep. Graham seconded the nomination.

Rep. Daniel Eaton moved that nominations be closed.

Adopted.

There being no further nominations, the Speaker cast one ballot for Karen O. Wadsworth and declared her the duly-elected Clerk of the House for the 2013-2014 biennium.

The Speaker declared nominations were in order for Sergeant-at-Arms.

Rep. Daniel Eaton placed in nomination the name of Walter Sword for Sergeant-at-Arms.

Rep. Packard seconded the nomination.

Rep. Kappler moved that nominations be closed.

Adopted.

There being no further nominations, the Speaker cast one ballot for Walter Sword and declared him the duly-elected Sergeant-at-Arms for the 2013-2014 biennium.

The Speaker administered the oath of office to Karen O. Wadsworth and Walter Sword.

### **RESOLUTION**

Reps. Shurtleff and Chandler offered the following: RESOLVED, that the House inform the Honorable Senate it has organized and is ready to meet with the Senate in Joint Convention for the purposes of electing a Secretary of State and a State Treasurer.

Adopted.

### **SENATE MESSAGES**

The Senate has organized and elected its officers: President of the Senate, Sen. Peter Bragdon and Clerk of the Senate, Tammy L. Wright.

The Senate, having organized, is ready to meet with the Honorable House of Representatives in Joint Convention for the purposes of electing a Secretary of State and a State Treasurer.

### **JOINT CONVENTION**

#### **(Speaker Norelli presiding)**

The Speaker called the Joint Convention to order.

The Chair declared that nominations were in order for Secretary of State.

Sen. D'Allesandro placed the name of William M. Gardner in nomination for Secretary of State.

Rep. Griffin seconded the nomination.

Rep. Daniel Eaton moved that nominations be closed.

Adopted.

There being no further nominations, the Chair instructed the Clerk to cast one ballot for William M. Gardner and declared him the duly-elected Secretary of State for the 2013-2014 biennium.

The Chair declared that nominations were in order for State Treasurer.

Rep. Bouchard placed the name of Catherine Provencher in nomination for State Treasurer.

Sen. Bradley seconded the nomination.

Rep. Daniel Eaton moved that nominations be closed.

Adopted.

There being no further nominations, the Chair instructed the Clerk to cast one ballot for Catherine Provencher and declared her the duly-elected State Treasurer for the 2013-2014 biennium.

The Chair administered the oath of office to William M. Gardner and Catherine Provencher. Catherine Provencher and William M. Gardner addressed the Joint Convention.

Sen. Bradley and Rep. Shurtleff moved that the Joint Convention arise.

Adopted.

The Joint Convention adjourned.

### **HOUSE SESSION**

The Speaker reconvened the House Session.

**RESOLUTION NO. 1**

Reps. Gary Richardson and Chandler offered the following: RESOLVED, that the House adopt the Rules of the 2012 session for the 2013-2014 biennium.  
Adopted.

**RESOLUTION NO. 2**

Reps. Shurtleff and Chandler offered the following: RESOLVED, that all action taken at all sessions of the House of Representatives be recorded through the public address system, and that the recording be used by the Clerk to confirm and correct the permanent journal. The permanent journal as prepared by the Clerk and as may be corrected by the House shall be the official record of the House.  
Adopted.

**RESOLUTION NO. 3**

Reps. Shurtleff and Chandler offered the following: RESOLVED, that the following policy be established for the distribution of House calendars and journals, bills and resolutions to members of the General Court and state departments:

1. Every citizen is entitled, free of charge, to one copy of any publication at the legislative counter or to have the publication mailed to that person upon individual request for one such copy.
2. Persons requesting copies for the entire session will be charged a fee sufficient to cover postage, envelopes and handling. Such fees may be prorated when service is received for portions of the session only. All fees are payable in advance. The subscriber list may be submitted for legislative accounting and auditing purposes, but is not for publication or sale.
3. All fees charged for publications in accordance with this resolution shall be fixed with the approval of the Speaker, paid into the state treasury and credited to the legislative appropriation.

Adopted.

**RESOLUTION NO. 4**

Reps. Shurtleff and Chandler offered the following: RESOLVED, that the Speaker may employ such personnel as she may deem necessary and, with the approval of the House subcommittee of the Committee on Legislative Facilities, may fix their compensation in accordance with RSA 17-E:5.  
Adopted.

**RESOLUTION NO. 5**

Reps. Shurtleff and Chandler offered the following: RESOLVED, that the members will be paid their legislative salary, as provided in the Constitution, in the month of January 2013, and that mileage of members of the House of Representatives be paid every two weeks during the session.  
Adopted.

**RESOLUTION**

Rep. Shurtleff offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of resolutions be by caption only and that all resolutions be read a third time and passed and when the House adjourns today it be to convene on Wednesday, January 2, 2013.  
Adopted.

**UNANIMOUS CONSENT**

Rep. Baldasaro addressed the House.

**APPOINTMENTS**

The Speaker made the following appointments:

Rep. Chandler, Republican Leader of the House.

Rep. Shurtleff, Majority Leader of the House.

Rep. Wallner, Chairman of the Committee on Finance.

**STANDING COMMITTEE APPOINTMENTS**

The Speaker appointed Standing Committees of the House as follows:

**CHILDREN & FAMILY LAW****DEMOCRATS**

Walz, Mary Beth, **Chairman**

**REPUBLICANS**

Gargas, Carolyn M.

Long, Patrick T., **Vice Chairman**  
 Rollo, Deanna S.  
 Flockhart, Eileen C.  
 Friedrich, Carol H.  
 Chase, Cynthia L.  
 Alicea, Caroletta C.  
 Frambach, Mary E.  
 Gulick, Ruth P.  
 MacKay, Mariellen  
 Stevens, Audrey M.

Itse, Daniel C.  
 DeSimone, Debra L., **Clerk**  
 Oligny, Jeffrey P.  
 Dumaine, Dudley D.  
 Hoell, J. R.  
 Tremblay, Stella S.  
 Murphy, Kelleigh D.  
 Nigrello, Robert L.

## COMMERCE & CONSUMER AFFAIRS

### DEMOCRATS

Butler, Edward A., **Chairman**  
 Schlachman, Donna L., **Vice Chairman**  
 Kopka, Angeline A.  
 Gidge, Kenneth N.  
 Hammond, Jill Shafer  
 Mulholland, Catherine  
 Heden, Ruth S.  
 McNamara, Richard D.  
 Muns, Chris, **Clerk**  
 Scarlotto, Joe W.  
 Williams, Kermit R.

### REPUBLICANS

Hunt, John B.  
 Flanders, Donald H.  
 Belanger, Ronald J.  
 Rice, Frederick C.  
 Tucker, Pamela Z.  
 Jones, Laura M.  
 Murphy, Keith  
 Doolan, Ralph J.  
 Sandblade, Emily C.

## CRIMINAL JUSTICE & PUBLIC SAFETY

### DEMOCRATS

Pantelakos, Laura C., **Chairman**  
 Cushing, Robert T., **Vice Chairman**  
 Berube, Roger R.  
 Robertson, Timothy N.  
 Burrige, Delmar D.  
 Ginsburg, Philip E.  
 Boisvert, Ronald R.  
 Grady, Brenda E.  
 Harriott-Gathright, Linda  
 Hirsch, Geoffrey D.  
 O'Hearne, Andrew S.

### REPUBLICANS

Charron, Gene P., **Clerk**  
 Fields, Dennis H.  
 Fesh, Robert M.  
 Villeneuve, Maurice  
 Gagne, Larry G.  
 Parsons, Robbie L.  
 Tasker, Kyle J.  
 Warden, Mark  
 Vaillancourt, Steve

## EDUCATION

### DEMOCRATS

Gile, Mary Stuart, **Chairman**  
 Grassie, Anne C., **Vice Chairman**  
 Shaw, Barbara E., **Clerk**  
 Gorman, Mary J.  
 Burke, Rachel B.  
 Frazer, June M.  
 Spang, Judith T.  
 Arsenault, Beth R.  
 Rokas, Ted  
 Schmidt, Andrew R.  
 Myler, Mel

### REPUBLICANS

Boehm, Ralph G.  
 Ladd, Rick M.  
 Greemore, Robert H.  
 Pitre, Joseph A.  
 Willette, Robert F.  
 Bick, Patrick J.  
 Cordelli, Glenn  
 Grenier, James L.  
 Harris, Jeffrey F.

## ELECTION LAW

### DEMOCRATS

Cote, David E., **Chairman**  
 Knowles, Mary Ann, **Vice Chairman**

### REPUBLICANS

Jasper, Shawn N.  
 Hoelzel, Kathleen F., **Clerk**

Perry, Robert J.  
 Levesque, Melanie A.  
 Gage, Ruth E.  
 Moody, Marcia G.  
 Richardson, Gary B.  
 Connor, Evelyn M.  
 Till, Mary L.  
 Ward, Gerald W. R.

Comerford, Timothy P.  
 Birdsell, Regina M.  
 Souza, Kathleen M.  
 Gray, James P.  
 Marston, Dick A.  
 Sweeney, Joe

## ENVIRONMENT & AGRICULTURE

### DEMOCRATS

Sad, Tara A., **Chairman**  
 Moynihan, Wayne T., **Vice Chairman**  
 Bartlett, Christy D.  
 Bixby, Peter W.  
 Brown, Rebecca A.  
 Burns, Scott A.  
 Gardner, Janice S.  
 Lauer, Linda D.  
 Miller, David P.  
 Turcotte, Alan J.  
 Whittemore, Lisa I.

### REPUBLICANS

Haefner, Robert H.  
 Groen, Warren J.  
 Palmer, Stephen J.  
 Comtois, Guy  
 O'Connor, John T.  
 Johnson, Jane B., **Clerk**  
 Parison, James A.  
 Peckham, Michele S.  
 Gordon, Richard E.

## EXECUTIVE DEPARTMENTS & ADMINISTRATION

### DEMOCRATS

Weber, Lucy M., **Chairman**  
 Schuett, Dianne E., **Vice Chairman**  
 Schmidt, Peter B.  
 Jeudy, Jean L.  
 Sullivan, Daniel J.  
 Goley, Jeffrey P.  
 Gagnon, Raymond G.  
 Nelson, Mary S.  
 Booras, Efstathia C.  
 Hansberry, Daniel C., **Clerk**  
 Moffett, Howard M.

### REPUBLICANS

McGuire, Carol M.  
 Sytek, John J.  
 Pratt, Calvin D.  
 Hansen, Peter T.  
 Beaudoin, Steven P.  
 Byron, Frank A.  
 Danaïs, Romeo  
 Garcia, Bianca R.  
 Sweeney, Shawn P.

## FINANCE

### DEMOCRATS

Wallner, Mary Jane, **Chairman**  
 Rosenwald, Cindy, **Vice Chairman**  
 Nordgren, Sharon L.  
 Eaton, Daniel A.  
 Benn, Bernard L.  
 Leishman, Peter R.  
 Buco, Thomas L.  
 Huot, David O.  
 Lerandeau, Alfred C.  
 Hatch, William A.  
 Rogers, Katherine D., **Clerk**  
 Ford, Susan M.  
 Spratt, Stephen P.  
 Walsh, Robert M.

### REPUBLICANS

Kurk, Neal M.  
 Weyler, Kenneth L.  
 Ober, Lynne M.  
 Elliott, Robert J.  
 Allen, Mary M.  
 Garcia, Marilinda J.  
 Barry, Richard W.  
 Cebrowski, John W.  
 Umberger, Karen C.  
 McGuire, Dan  
 Worsman, Colette

## FISH & GAME & MARINE RESOURCES

### DEMOCRATS

Lefebvre, Benjamin P., **Chairman**

### REPUBLICANS

Reed, Dennis

Rogers, Rose Marie, **Vice Chairman**  
 Patten, Dick W.  
 Ward, Kenneth J.  
 Katsiantonis, George  
 Burdwood, Greg  
 Carroll, Douglas L.  
 Dobson, Jeremy S.  
 Garcia, Michael A.  
 Ketel, Stephen M.  
 Manley, Jonathan F.

McKinney, Betsy  
 Sanders, Elisabeth N.  
 McCarthy, Michael J.  
 Kidder, David H., **Clerk**  
 Duarte, Joe  
 Webb, James C.  
 Burt, John A.  
 Tamburello, Daniel J.

### HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

#### DEMOCRATS

MacKay, James R., **Chairman**  
 Harding, Laurie, **Vice Chairman**  
 French, Barbara C.  
 Donovan, Thomas E.  
 Tilton, Joy K.  
 Andrews-Ahern, E. Elaine  
 DiMartino, Lisa  
 Helmstetter, Barbara S.  
 Hunt, Jane J., **Clerk**  
 Sherman, Thomas M.  
 Ticehurst, Susan J.

#### REPUBLICANS

McMahon, Charles E.  
 Emerson, Susan  
 Kotowski, Frank R.  
 Martel, Andre A.  
 LeBrun, Donald L.  
 Culbert, Patrick L.  
 Meaney, Richard E.  
 Nelson, Bill G.  
 Schmidt, Stephen J.

### JUDICIARY

#### DEMOCRATS

Smith, Marjorie K., **Chairman**  
 Wall, Janet G., **Vice Chairman**  
 Hackel, Paul L.  
 Watrous, Rick H.  
 Sullivan, Peter M.  
 Horrigan, Timothy O.  
 Berch, Paul S.  
 Gale, Sylvia E., **Clerk**  
 Heffron, Frank H.  
 Phillips, Larry R.  
 Woodbury, David

#### REPUBLICANS

Rowe, Robert H.  
 Hagan, Joseph M.  
 Peterson, Lenette M.  
 Hopper, Gary S.  
 Kappler, Lawrence M.  
 Luther, Robert A.  
 Sylvia, Michael J.  
 Takesian, Charlene F.  
 Thompson, David H.

### LABOR, INDUSTRIAL & REHABILITATIVE SERVICES

#### DEMOCRATS

White, Andrew A., **Chairman**  
 Kelly, Sally H., **Vice Chairman**  
 Weed, Charles F.  
 Rice, Chip L.  
 Coulombe, Gary M.  
 Andrews, Christopher R.  
 Cahill, Michael D.  
 DiSilvestro, Linda A., **Clerk**  
 Ley, Douglas A.  
 Schmidt, Janice E.  
 Tanner, Linda L.

#### REPUBLICANS

Daniels, Gary L.  
 Infantine, William J.  
 Richardson, Herbert D.  
 Pellegrino, Tony J.  
 Sedensky, John B.  
 Flanagan, Jack B.  
 Burchell, Richard B.  
 Emerick, J. Tracy  
 St. James, Kevin P.

### LEGISLATIVE ADMINISTRATION

#### DEMOCRATS

Richardson, Gary B., **Chairman**  
 Rice, Chip L., **Vice Chairman**

#### REPUBLICANS

Perkins, Lawrence B.  
 Perkins, Amy S.

Pelletier, Marcia L.  
 Shurtleff, Stephen J., **Clerk**  
 Katsiantonis, Thomas  
 Winters, Joel F.  
 Briden, Steven J.  
 Emerson-Brown, Rebecca  
 Henle, Paul J.

Lambert, George A.  
 Bailey, Brad  
 Fink, Charles R.  
 Grace, Curtis W.  
 Hayes, Jack

### MUNICIPAL & COUNTY GOVERNMENT

#### DEMOCRATS

Porter, Marjorie A., **Chairman**  
 Tatro, Bruce L., **Vice Chairman**  
 Roberts, Kris E.  
 Hooper, Dorothea D.  
 Carson, Clyde J.  
 Enman, Larry S.  
 Lavender, Tom  
 Malloy, Dennis J.  
 Vail, Suzanne M.  
 Verschueren, James  
 White, Syndi G.

#### REPUBLICANS

Stroud, Kathleen M.  
 Lockwood, Priscilla P.  
 Belanger, James P., **Clerk**  
 Coffey, James E.  
 Copeland, Timothy D.  
 Shackett, Jeffrey S.  
 Bishop, Franklin C.  
 Bickford, David A.  
 Danielson, David J.

### PUBLIC WORKS & HIGHWAYS

#### DEMOCRATS

Campbell, David B., **Chairman**  
 Cloutier, John R., **Vice Chairman**  
 Ramsey, Peter E.  
 Mann, Maureen R., **Clerk**  
 Irwin, Virginia  
 Ebel, Karen E.  
 Hammon, Marcia  
 Higgins, Patricia C.  
 Jack, Martin L.  
 Piper, Wendy A.  
 Ratzki, Mario F.

#### REPUBLICANS

Graham, John A.  
 Chandler, Gene G.  
 Gionet, Edmond D.  
 McConkey, Mark E.  
 Waterhouse, Kevin P.  
 Tilton, Franklin T.  
 Kolodziej, Walter  
 Friel, William G.  
 Milz, David E.

### RESOURCES, RECREATION & DEVELOPMENT

#### DEMOCRATS

Chandley, Shannon E., **Chairman**  
 Smith, Suzanne J., **Vice Chairman**  
 Parkhurst, Henry A. L.  
 Lovett, Sid  
 Aguiar, James D.  
 Thomas, Yvonne D.  
 Gottling, Suzanne H.  
 Hubbard, Pamela J.  
 Beaulieu, Jane E., **Clerk**  
 Webb, Leigh A.  
 Wazlaw, Brian

#### REPUBLICANS

Renzullo, Andrew  
 Ahlgren, Christopher J.  
 Merrow, Harry C.  
 Schroadter, Adam R.  
 Ferrante, Beverly A.  
 Cormier, Jane  
 Holmes, Stephen  
 Mullen, John A.  
 Wright, Donald S.

### RULES

#### DEMOCRATS

Norelli, Terie, **Chairman**  
 Shurtleff, Stephen J., **Vice Chairman**  
 Eaton, Daniel A.  
 Kaen, Naida L.  
 Richardson, Gary B.  
 Weber, Lucy M.

#### REPUBLICANS

Chandler, Gene G.  
 Jasper, Shawn N.  
 Tucker, Pamela Z.  
 Sanborn, Laurie J.

**SCIENCE, TECHNOLOGY & ENERGY****DEMOCRATS**

Borden, David A., **Chairman**  
 Townsend, Charles L., **Vice Chairman**  
 Cali-Pitts, Jacqueline A.  
 Levasseur, Nickolas J.  
 Pastor, Beatriz  
 Baber, William S.  
 Backus, Robert A.  
 Grossman, Kenneth  
 Mann, John E.  
 Raymond, Ian P.  
 Shepardson, Marjorie J.

**REPUBLICANS**

Introne, Robert E., **Clerk**  
 Devine, James E.  
 Rappaport, Laurence M.  
 Bradley, Lester W.  
 Reilly, Harold T.  
 Khan, Aboul B.  
 LeVasseur, Richard D.  
 Murotake, David K.  
 Vadney, Herbert R.

**STATE-FEDERAL RELATIONS & VETERANS AFFAIRS****DEMOCRATS**

Theberge, Robert L., **Chairman**  
 Sweeney, Cynthia P., **Vice Chairman**  
 Garrity, Patrick F.  
 Spainhower, Dale S., **Clerk**  
 Palangas, Eric  
 Carey, Lorrie J.  
 Massimilla, Linda  
 McCloskey, David  
 Schamberg, Thomas C.  
 Smith, Timothy J.

**REPUBLICANS**

Baldasaro, Alfred P.  
 Priestley, Anne K.  
 Christiansen, Lars T.  
 Smith, Todd P.  
 Lundgren, David C.  
 Notter, Jeanine M.  
 Rideout, Leon H.  
 Rollins, Skip

**TRANSPORTATION****DEMOCRATS**

Bouchard, Candace C. W., **Chairman**  
 O'Brien, Michael B., **Vice Chairman**  
 Rhodes, Brian D.  
 LaPlante, Roland H.  
 Soucy, Timothy A.  
 Kaen, Naida L.  
 Williams, Carol A.  
 Johnsen, Gladys  
 Burtis, Elizabeth B.  
 O'Flaherty, Tim  
 Sykes, George E., **Clerk**

**REPUBLICANS**

Packard, Sherman A.  
 Hikel, John A.  
 Hinch, Richard W.  
 Chirichiello, Brian K.  
 Smith, Steven D.  
 Crawford, Karel A.  
 Hodgdon, Bruce E.  
 Straight, Philip N.  
 Walsh, Thomas C.

**WAYS & MEANS****DEMOCRATS**

Almy, Susan W., **Chairman**  
 Lovejoy, Patricia T., **Vice Chairman**  
 Butynski, William, **Clerk**  
 Davis, Frank W.  
 Shattuck, Gilman C.  
 Kelley, John D.  
 Cooney, Mary R.  
 Ames, Richard  
 Karrick, David B.  
 Menear, H. Robert  
 Young, Harry L.

**REPUBLICANS**

Major, Norman J.  
 Griffin, Mary E.  
 Hess, David W.  
 Sapareto, Frank V.  
 Ulery, Jordan G.  
 Ober, Russell T.  
 Abrami, Patrick F.  
 Azarian, Gary S.  
 Sanborn, Laurie J.

**ADJOURNMENT**

The Organizational session of the 2013-2014 House of Representatives adjourned at 12:15 p.m.

## HOUSE JOURNAL No. 2

Wednesday, January 2, 2013

The House assembled at 10:00 a.m. and was called to order by the Speaker.

His Excellency, Governor John H. Lynch, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

Good Morning and Happy New Year! It is an honor for me to be back with you here in this Hall and I bring you warm greetings from my congregation at South Congregational Church here in Concord. Although I come to this task as a person of Christian faith, I celebrate the fact that we are a people of diverse faiths. For that reason, my hope each time I stand here is that even if my prayers do not speak for you, they will speak to you.

O God, on this first day of our work together, we pause first to give thanks for the blessings we have known in our lives. Although many of us here in this room have known struggle and sadness, each of us have been blessed with things many in this world do not have. You have entrusted to many of us health, good fortune and material possessions beyond our need. Guide us that we may bestow on others at least as much blessing as we have received. And, as we sit today side by side, cell phone by cell phone, guide us and inspire us to lead to the very best of our ability; to call forth our deepest humanity and all the grace and justice it requires and to see that we all share flaws and strengths and that it is in being together and working together that we best honor those whom You call us to serve. Be with the people of Newtown, CT that this year may bring to them a small measure of hope and courage and be with the people of New Hampshire; the happy and the sad, the poor and the rich, the lost and the found and all of us somewhere in between. In Your Holy name we pray. Amen.

Representative Henry Parkhurst, member from Winchester, led the Pledge of Allegiance.

Representatives Sad and Weber, members from Walpole, led the singing of the National Anthem.

### LEAVES OF ABSENCE

Reps. Ronald Belanger, Bishop, Burke, LaPlante, Mary Nelson, Russell Ober and Amy Perkins, the day, illness.

Reps. Azarian, Dobson, Schuett, Jeffrey Shackett, Todd Smith and Daniel Sullivan, the day, important business.

Rep. Lawrence Perkins, the day, illness in the family.

### INTRODUCTION OF GUESTS

Joan and Reverend Andrew Nelson, wife and son of Rep. Bill Nelson. The Honorable David Welch, former member from Kingston, guest of Reps. Pantelakos and Shurtleff. Vincent Paul Migliore, guest of Rep. Suzanne Smith. Carol Drysdale, daughter of Rep. Higgins.

### COMMUNICATION

December 19, 2012

Ms. Karen Wadsworth  
Clerk of the House of Representatives  
State House  
Concord, NH 03301

Dear Karen:

Please be advised that the following representatives-elect were sworn into office by the Governor and Executive Council on this day:

Cheshire District No. 11 (Fitzwilliam, Rindge)

Susan Emerson, r, Rindge (PO Box 646, Rindge) 03461

Cheshire District No. 14 (Dublin, Fitzwilliam, Harrisville, Jaffrey, Rindge, Roxbury)

Harry L. Young, d, Jaffrey (125 Jaquith Road) 03452



Grafton District No. 9 (Alexandria, Ashland, Bridgewater, Bristol, Grafton)

Harold T. Reilly, r, Alexandria (1684 Ragged Mtn Hwy, Hill) 03243

Hillsborough District No. 2 (Deering, Weare)

Gary S. Hopper, r, Weare (107 Buxton School Road) 03281

Hillsborough District 13 (Manchester Ward 6)

William J. Infantine, r, Manchester (89 Winward Lane) 03104

Hillsborough District No. 22 (Amherst)

Peter T. Hansen, r, Amherst (82 Amherst Road) 03031

Hillsborough District No. 35 (Nashua Ward 8)

Roland H. LaPlante, d, Nashua (4 Midhurst Road) 03062

Hillsborough District No. 35 (Nashua Ward 8)

Mary S. Nelson, d, Nashua (18 Stanley Lane) 03062

Sincerely,

William M. Gardner, Secretary of State

**MOTION TO SUSPEND HOUSE RULES**

Reps. Shurtleff and Chandler moved that all House Rules necessary be so far suspended to allow introduction and consideration at the present time of **HB 101**, relative to calculation of the local tax cap by the Newfound area school district, and if passed, allow for immediate third reading. Adopted by the necessary two-thirds vote.

**RESOLUTION**

Reps. Shurtleff and Chandler offered the following: **RESOLVED**, that House Bill numbered 101 shall be by this resolution read a first and second time by the therein listed title. Adopted.

**INTRODUCTION OF HOUSE BILL****First, second reading**

**HB 101**, relative to calculation of the local tax cap by the Newfound area school district.

**CONSIDERATION OF HB 101**

**HB 101**, relative to calculation of the local tax cap by the Newfound area school district. **OUGHT TO PASS:**

Reps. Gary B. Richardson and Rep. Lynne Ober for the Special House Committee: This bill provides that the local tax cap calculated under RSA 32:5-b for the Newfound Area School District, which is comprised of seven towns in three counties, shall not include the previous fiscal year lapsed balances brought forward. This will apply only to the FY 2014 budget. The Newfound Area School District is the only district to adopt this tax cap, which became law in July, 2011. As the district prepared the FY 2014 budget, it became evident that an unintended consequence of the recently adopted cap would allow them to raise fewer tax dollars than the year before. The tax cap approved by the District requires that the recommended budget "shall not exceed the local taxes raised for the prior year" by more than 2%. At the heart of the matter was a \$700,000 surplus in FY 2013 which the district chose to use to offset the tax rate rather than encumber and spend the surplus dollars. Had they spent the surplus, there would be no need for this bill, but they did not. Because the tax cap applies to taxes "raised", the recommended budget would have to be \$700,000 less than what was actually spent the previous year. While the school district agreed that they adopted the cap to control budgetary growth, they did not adopt it to force additional mandatory cuts. The previous year's budget was cut ten percent with a reduction of 15.3 teachers. Then with a mild winter, bids on many commodities, including electricity, the district had a large surplus, but could not absorb the loss of additional tax revenue without significantly damaging student programming. The committee heard testimony that a bill to find a permanent change for this unintended consequence of the cap was filed for the upcoming session. As a result, this bill would be needed once for this one school district. Based on extensive testimony the committee felt an exemption for FY 2014 should be passed because no school district should be penalized by a recently discovered flaw in new legislation. Reps. Susanne Smith and Lynne Ober spoke in favor.

Rep. Ladd spoke in favor and yielded to questions.  
Committee report adopted and ordered to third reading.

### RESOLUTION

Rep. Shurtleff moved that **HB 101**, relative to calculation of the local tax cap by the Newfound area school district, be read a third time and passed at the present time.  
Adopted.

### THIRD READING AND FINAL PASSAGE

**HB 101**, relative to calculation of the local tax cap by the Newfound area school district.

### RESOLUTION

Reps. Shurtleff and Chandler offered the following: **RESOLVED**, that the House of Representatives inform the Honorable Senate it is ready to meet in Joint Convention for the purpose of canvassing the votes for Governor and Executive Council.  
Adopted.

### SENATE MESSAGE

The Senate is now ready to meet with the Honorable House of Representatives in Joint Convention for the purpose of canvassing the votes for Governor and Executive Council.

### JOINT CONVENTION

(Speaker Norelli presiding)

### RESOLUTION

Rep. Shurtleff and Sen. Bradley offered the following: **RESOLVED**, that the Honorable Secretary of State be requested to lay before the Joint Convention the return votes for Governor and Executive Council.  
Adopted.

In accordance with Article 42, Part 2 of the New Hampshire Constitution, David M. Scanlan, Deputy Secretary of State, appeared before the Joint Convention and presented the return votes for Governor and the Executive Council cast in the General Election held November 6, 2012 as follows:

### FOR GOVERNOR

	Maggie Hassan, d	Ovide Lamontagne, r	John J. Babiarez, lib
Belknap	16,756	15,702	821
Carroll	14,339	12,893	664
Cheshire	25,136	13,490	1,228
Coos	8,929	6,069	359
Grafton	29,412	16,476	1,587
Hillsborough	104,547	90,621	5,749
Merrimack	46,037	31,127	1,887
Rockingham	84,287	77,095	4,358
Strafford	37,120	23,387	1,831
Sullivan	<u>12,371</u>	<u>8,166</u>	<u>737</u>
TOTALS	378,934	295,026	19,251

Maggie Hassan, having a plurality of 83,908 votes, was elected.

### FOR EXECUTIVE COUNCILORS

#### First District

Raymond S. Burton, r	75,974
Beth Funicella, d	50,617
Howard L. Wilson, lib	<u>6,403</u>
Plurality for Burton	25,357

#### Second District

Colin Van Ostern, d	71,300
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Michael J. Tierney, r	<u>51,590</u>
Plurality for Van Osten	19,710
<b>Third District</b>	
Christopher Sununu, r	75,856
Bill Duncan, d	55,432
Michael J. Baldassarre, lib	<u>6,182</u>
Plurality for Sununu	20,424
<b>Fourth District</b>	
Christopher Pappas, d	63,641
Robert Burns, r	50,907
Kenneth E. Blevens, lib	<u>5,705</u>
Plurality for Pappas	12,734
<b>Fifth District</b>	
Debora B. Pignatelli, d	67,216
David K. Wheeler, r	<u>60,896</u>
Plurality for Pignatelli	6,320

### RESOLUTION

Rep. Shurtleff and Sen. Bradley offered the following: **RESOLVED**, that the vote for Governor and Executive Council be referred to a committee consisting of two on the part of the Senate and three on the part of the House to compare and count the same and report thereon.

Adopted.

The Chair appointed Reps. Kaen, Shurtleff and Chandler and Sens. Bradley and Larsen.

Rep. Shurtleff and Sen. Bradley moved that the Joint Convention arise.

Adopted.

The Joint Convention adjourned.

### HOUSE SESSION

The Speaker reconvened the House Session.

Rep. Shurtleff moved the adoption of the amendment to House Rules, as proposed by the Rules Committee and as printed in the House Calendar.

### AMENDMENT TO HOUSE RULES

Proposed by the Rules Committee.

**Amend the first sentence of Rule 4** to read as follows:

The Speaker shall refer all bills, resolutions, memorials, accounts and other matters coming before the House to the appropriate committee.

**Amend Rule 18** to read as follows:

Before any petition is received and read, the substance of the petition shall be in concise form, the name of the member(s) presenting it shall be recorded on the petition, and a summary of the substance of the petition shall be printed in the House Calendar. The Clerk of the House shall state the substance of the petition in summary and a copy shall be placed on file with the House Clerk.

**Amend the first sentence of Rule 20 (b)** to read as follows:

A motion to lay on the table a Constitutional Amendment Concurrent Resolution shall require a majority vote.

**Amend Rule 30** as follows:

Delete reference to the committee on Constitutional Review and Statutory Recodification and the committee on Redress of Grievances from the introductory paragraph. Also delete 30(c) and 30(q), duties of those committees.

Delete 30(n) (1), 30(n) (2) and 30(n) (3), subcommittees of the Committee on Legislative Administration.

**Amend Rule 57(b) 3 & 4** to read as follows:

3. Personal privilege in accordance with Mason's Manual of Legislative Procedure, Sec. 220-226, 2010 edition.

4. Unanimous consent granted in accordance with Mason's Manual of Legislative Procedure, Sec. 537, 2010 edition.

**Amend the first sentence of Rule 63** to read as follows:

No person, including members of the House, except law enforcement officers while actively engaged in carrying out their duties as such, shall carry or have in possession any deadly weapon as defined in RSA 625:11, V, while in the House Chamber, anterooms, cloakrooms, or any portion of the State House adjacent to any of the above.

**Amend Rule 64** to read as follows:

The procedures of the New Hampshire House shall be derived from the following sources in the order of precedence listed:

Constitutional provisions.

Rules of the New Hampshire House.

Custom, usage and precedent.

Adopted parliamentary manual (Mason's Manual of Legislative Procedure, 2010 edition).

Statutory provisions.

**Amend Rule 66** to read as follows:

No subpoena shall issue except by majority vote of the entire House Membership and upon the signature of the Speaker. The Committee on Rules shall determine the form of subpoenas and subpoenas *duces tecum* and specify conditions, if any, with regard to the issuance and use of such subpoenas.

**Amend Rule 65** to read as follows:

Legislative action for the biennium shall be subject to the following deadlines:

#### **First Year Session Deadline Dates**

Friday, January 11, 2013	Last day to sign off all House Bills.
Friday, February 1, 2013	Last day to Introduce House Bills. Last day to amend rules by majority vote.
Thursday, February 21, 2013	Last day to report House Bills going to a second committee.
Thursday, February 28, 2013	Last day to act on House Bills going to a second committee.
Thursday, March 7, 2013	Last day to report House Bills not in a second committee, except budget bills.
Thursday, March 14, 2013	Last day to act on House Bills not in a second committee, except budget bills.
Thursday, March 21, 2013	Last day to report all House Bills, except budget bills. Last day to report list of retained House Bills.
Thursday, March 28, 2013	Last day to report budget bills. Last Day to act on all House Bills, except budget bills.
Thursday April 4, 2013	CROSSOVER - Last day to act on budget bills.
Thursday, May 2, 2013	Last day to report Senate Bills going to a second committee.
Thursday, May 9, 2013	Last day to act on Senate Bills going to a second committee.
Thursday, May 30, 2013	Last day to report all remaining Senate Bills. Last day to report list of retained Senate Bills.
Thursday, June 6, 2013	Last day to act on Senate Bills.
Thursday, June 13, 2013	Last day to form Committees of Conference.
Thursday, June 20, 2013	Last day to sign Committee of Conference reports (4:00 pm).
Thursday, June 27, 2013	Last day to act on Committee of Conference reports.
Thursday, June 27, 2013	Last day to act on Committee of Conference reports.

#### **MOTION TO DIVIDE**

Rep. Jasper moved that the amendment to House Rules 4, 18, 30, 63 and 64 be divided from the remainder of the amendments to House Rules.

Reps. Jasper and Shurtleff spoke in favor.

Adopted.

The question being adoption of the remaining amendments to House Rules.  
Rep. Gary Richardson spoke in favor and yielded to questions.  
Adopted.

The question now being adoption of the amendment to House Rule 4.  
Reps. Gary Richardson and Jasper spoke in favor and yielded to questions.  
Adopted.

The question now being adoption of the amendment to House Rule 18.  
Rep. Itse spoke against.  
Rep. Gary Richardson spoke in favor and yielded to questions.  
Rep. Baldasaro requested a roll call; sufficiently seconded.

## YEAS 264 NAYS 109

### YEAS 264

#### BELKNAP

Arsenault, Beth  
Holmes, Stephen

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Gulick, Ruth  
Tilton, Franklin

#### CARROLL

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen

Butler, Edward  
Lavender, Tom  
Ticehurst, Susan

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Merrow, Harry  
White, Syndi

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

#### COOS

Coulombe, Gary  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

#### GRAFTON

Aguiar, James  
Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Brown, Rebecca  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Bailey, Brad  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

#### HILLSBOROUGH

Backus, Robert  
Boisvert, Ronald  
Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Goley, Jeffrey  
Hackel, Paul  
Harriott-Gathright, Linda  
Jasper, Shawn  
Kelley, John  
Leishman, Peter  
Long, Patrick

Barry, Richard  
Booras, Efsthathia  
Connor, Evelyn  
Eaton, Richard  
Gargas, Carolyn  
Gorman, Mary  
Haefner, Robert  
Heden, Ruth  
Judy, Jean  
Knowles, Mary Ann  
Levasseur, Nicholas  
MacKay, Mariellen

Beaulieu, Jane  
Campbell, David  
Cote, David  
Flanagan, Jack  
Garrity, Patrick  
Grady, Brenda  
Hammond, Jill  
Hinch, Richard  
Katsiantonis, George  
Kopka, Angeline  
LeVasseur, Richard  
Manley, Jonathan Sr

Belanger, James  
Carroll, Douglas  
Danielson, David  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Hansberry, Daniel  
Jack, Martin  
Katsiantonis, Thomas  
Kurk, Neal  
Levesque, Melanie  
McCloskey, David

McNamara, Richard  
Porter, Marjorie  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Peter  
Vaillancourt, Steve  
Winters, Joel

Murotake, David  
Ramsey, Peter  
Sanborn, Laurie  
Smith, Timothy  
Sweeney, Shawn  
Walsh, Robert Jr  
Woodbury, David

O'Brien, Michael Sr  
Rhodes, Brian  
Schmidt, Janice  
Soucy, Timothy  
Takesian, Charlene  
Warden, Mark

Ober, Lynne  
Rokas, Ted  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Tilton, Joy  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Danais, Romeo  
Flockhart, Eileen  
Helmstetter, Barbara  
Mann, Maureen  
Moody, Marcia  
Pantelakos, Laura  
Schlachman, Donna  
Sytek, John  
Whittemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Friel, William  
Hoelzel, Kathleen  
McKinney, Betsy  
Muns, Chris  
Priestley, Anne  
Sherman, Thomas  
Till, Mary

Briden, Steven  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Griffin, Mary  
Lovejoy, Patricia  
McMahon, Charles  
Nigrello, Robert  
Sanders, Elisabeth  
St.James, Kevin  
Ward, Gerald

Burtis, Elizabeth  
Cushing, Robert Jr  
Ferrante, Beverly  
Heffron, Frank  
Lundgren, David  
Milz, David  
Oigny, Jeffrey  
Scarlottio, Joe  
Sweeney, Joe  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Berube, Roger  
Ginsburg, Philip  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschuieren, James

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Grenier, James  
Smith, Steven

Donovan, Thomas Jr  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
O'Hearne, Andrew  
Tanner, Linda

Gottling, Suzanne  
Schmidt, Andrew

### NAYS 109

### BELKNAP

Burchell, Richard  
Flanders, Donald  
Vadney, Herbert

Comtois, Guy  
Greemore, Robert Jr  
Worsman, Colette

Cormier, Jane  
Luther, Robert

Fink, Charles  
Sylvia, Michael

### CARROLL

Ahlgren, Christopher

Nelson, Bill

Wright, Donald

### CHESHIRE

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Doolan, Ralph Jr

Reilly, Harold Sr

**HILLSBOROUGH**

Boehm, Ralph  
Christiansen, Lars  
Gagne, Larry  
Infantine, William  
Martel, Andre  
Notter, Jeanine  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Willette, Robert

Burt, John  
Coffey, James  
Hansen, Peter  
Lambert, George  
Meaney, Richard  
O'Brien, William  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen

Byron, Frank  
Culbert, Patrick  
Hikel, John  
LeBrun, Donald  
Murphy, Keith  
O'Flaherty, Tim  
Peterson, Lenette  
Sandblade, Emily  
Ulery, Jordan

Cebrowski, John  
Daniels, Gary  
Hopper, Gary  
Marston, Dick  
Murphy, Kelleigh  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Villeneuve, Moe

**MERRIMACK**

Hoell, J.R.

McGuire, Carol

McGuire, Dan

Reed, Dennis

Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
DeSimone, Debra  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Khan, Aboul  
Packard, Sherman  
Schroadter, Adam  
Thompson, David  
Weyler, Kenneth

Allen, Mary  
Charron, Gene  
Devine, James  
Garcia, Bianca  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
Peckham, Michele  
Sedensky, John  
Tucker, Pamela

Baldasaro, Alfred  
Chirichiello, Brian  
Duarte, Joe  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
Rice, Frederick  
Tamburello, Daniel  
Waterhouse, Kevin

Bick, Patrick  
Comerford, Timothy  
Emerick, J. Tracy  
Gordon, Richard  
Hayes, Jack  
Kappler, Lawrence  
O'Connor, John  
Sapareto, Frank  
Tasker, Kyle  
Webb, James Sr

**STRAFFORD**

Beaudoin, Steven  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

Mullen, John Jr

**SULLIVAN**

Rollins, Skip

and the amendment to House Rule 18 was adopted.

The question now being adoption of the amendment to House Rule 30.

Reps. Lambert and Willette spoke against.

Reps. Horrigan and Gary Richardson spoke in favor and yielded to questions.

Reps. Tucker and Ulery spoke against and yielded to questions.

Rep. Vaillancourt spoke in favor.

Rep. Lambert requested a roll call; sufficiently seconded.

**YEAS 226 NAYS 147****YEAS 226****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
White, Syndi

Lavender, Tom

Morrow, Harry

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Emerson, Susan  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Butynski, William  
Johnsen, Gladys  
Mann, John  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihn, Wayne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Almy, Susan  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Booras, Efstathia  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Katsiantonis, Thomas  
Kurk, Neal  
Long, Patrick  
McNamara, Richard  
Rhodes, Brian  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Winters, Joel

Barry, Richard  
Campbell, David  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
O'Brien, Michael Sr  
Rokas, Ted  
Shattuck, Gilman  
Spratt, Stephen  
Vaillancourt, Steve  
Woodbury, David

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Judy, Jean  
Knowles, Mary Ann  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Porter, Marjorie  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Peter  
Walsh, Robert Jr

Boisvert, Ronald  
Chandle, Shannon  
Eaton, Richard  
Garity, Patrick  
Hackel, Paul  
Harriott-Gathright, Linda  
Katsiantonis, George  
Kopka, Angeline  
Levesque, Melanie  
McCloskey, David  
Ramsey, Peter  
Rowe, Robert  
Smith, Timothy  
Takesian, Charlene  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Elliott, Robert  
Flockhart, Eileen  
Lovejoy, Patricia  
Muns, Chris  
Schlachman, Donna  
Wazlaw, Brian

Borden, David  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Hayes, Jack  
Mann, Maureen  
Nigrello, Robert  
Sherman, Thomas  
Whittemore, Lisa

Briden, Steven  
Copeland, Timothy  
Ferrante, Beverly  
Heffron, Frank  
McKinney, Betsy  
Pantelakos, Laura  
Till, Mary

Burtis, Elizabeth  
Cushing, Robert Jr  
Fesh, Robert  
Helmstetter, Barbara  
Moody, Marcia  
Scarlott, Joe  
Ward, Gerald



**STRAFFORD**

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Berube, Roger  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Donovan, Thomas Jr  
O'Hearne, Andrew

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

**NAYS 147****BELKNAP**

Burchell, Richard  
Flanders, Donald  
Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

Fink, Charles  
Luther, Robert  
Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Wright, Donald

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

Crawford, Karel  
Umberger, Karen

**CHESHIRE**

Hunt, John

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Reilly, Harold Sr

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Graham, John  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Sweeney, Shawn  
Willette, Robert

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Hansen, Peter  
Infantine, William  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Ulery, Jordan

Burt, John  
Coffey, James  
Flanagan, Jack  
Hikel, John  
Jasper, Shawn  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Villeneuve, Moe

Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hinch, Richard  
Lambert, George  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Pellegrino, Tony  
Sanborn, Laurie  
Stroud, Kathleen  
Warden, Mark

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Reed, Dennis

Kotowski, Frank  
Walsh, Thomas IV

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina

Allen, Mary  
Charron, Gene

Baldasaro, Alfred  
Chirichiello, Brian

Bick, Patrick  
Comerford, Timothy

Danaïs, Romeo	DeSimone, Debra	Devine, James	Duarte, Joe
Dumaine, Dudley	Emerick, J. Tracy	Friel, William	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Grace, Curtis	Griffin, Mary
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Khan, Aboul
Kolodziej, Walter	Lundgren, David	Major, Norman	McMahon, Charles
Milz, David	O'Connor, John	Oligny, Jeffrey	Packard, Sherman
Peckham, Michele	Priestley, Anne	Rice, Frederick	Sanders, Elisabeth
Sapareto, Frank	Schroadter, Adam	Sedensky, John	St.James, Kevin
Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle	Thompson, David
Tucker, Pamela	Waterhouse, Kevin	Webb, James Sr	Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven	Bickford, David	Gray, James	Groen, Warren
Jones, Laura	Mullen, John Jr	Pitre, Joseph	

### SULLIVAN

Grenier, James	Rollins, Skip	Smith, Steven
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and the amendment to House Rule 30 was adopted.

The question now being adoption of the amendment to House Rule 63.

### MOTION TO LAY ON THE TABLE

Rep. Hoell moved that the amendment to House Rule 63 be laid on the table.

On a division vote, 161 members having voted in the affirmative and 205 in the negative, the motion failed.

Rep. Gary Richardson offered a floor amendment to House Rule 63.

### Floor Amendment to House Rule 63

**Amend the first sentence of Rule 63** to read as follows:

No person, including members of the House, except law enforcement officers shall actively engage in carrying out their duties as such, shall carry or have in possession any deadly weapon as defined in RSA 625:11, V while in the House Chamber, anterooms, cloakrooms, **or House gallery.**

Rep. Gary Richardson spoke in favor and yielded to questions.

Rep. Webb requested a roll call; sufficiently seconded.

**YEAS 271 NAYS 102**

### YEAS 271

### BELKNAP

Arsenault, Beth	Burchell, Richard	DiMartino, Lisa	Fields, Dennis
Fink, Charles	Flanders, Donald	Gulick, Ruth	Holmes, Stephen
Huot, David	Raymond, Ian	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			

### CARROLL

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Cordelli, Glenn	Lavender, Tom	Morrow, Harry	Nelson, Bill
Ticehurst, Susan	White, Syndi		

### CHESHIRE

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Johnson, Jane	Lerandeau, Alfred	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles	Young, Harry		

**COOS**

Coulombe, Gary  
Rappaport, Laurence

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Almy, Susan  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew

Bradley, Lester  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald  
Carroll, Douglas  
Cote, David  
Flanagan, Jack  
Garrity, Patrick  
Graham, John  
Hansberry, Daniel  
Hinch, Richard  
Katsiantonis, George  
Kopka, Angeline  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murotake, David  
Pratt, Calvin  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Peter  
Walsh, Robert Jr  
Woodbury, David

Beaulieu, Jane  
Booras, Efstathia  
Chandley, Shannon  
Danielson, David  
Gage, Ruth  
Goley, Jeffrey  
Hackel, Paul  
Harriott-Gathright, Linda  
Jack, Martin  
Katsiantonis, Thomas  
Kurk, Neal  
Levesque, Melanie  
Marston, Dick  
O'Brien, Michael Sr  
Ramsey, Peter  
Rowe, Robert  
Smith, Timothy  
Takesian, Charlene  
Warden, Mark

Belanger, James  
Byron, Frank  
Coffey, James  
DiSilvestro, Linda  
Gale, Sylvia  
Gorman, Mary  
Haefner, Robert  
Heden, Ruth  
Jasper, Shawn  
Kelley, John  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
Palmer, Stephen  
Rhodes, Brian  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Willette, Robert

Boehm, Ralph  
Campbell, David  
Connor, Evelyn  
Eaton, Richard  
Gargas, Carolyn  
Grady, Brenda  
Hammond, Jill  
Hikel, John  
Judy, Jean  
Knowles, Mary Ann  
Levasseur, Nickolas  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Rokas, Ted  
Shattuck, Gilman  
Spratt, Stephen  
Vaillancourt, Steve  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Lockwood, Priscilla  
Myler, Mel  
Richardson, Gary  
Tilton, Joy  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Patten, Dick  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
McGuire, Dan  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Cushing, Robert Jr  
Ferrante, Beverly  
Helmstetter, Barbara  
Lundgren, David  
Muns, Chris  
Pantelakos, Laura  
Schlachman, Donna  
Till, Mary  
Weyler, Kenneth

Bick, Patrick  
Cahill, Michael  
Devine, James  
Flockhart, Eileen  
Hodgdon, Bruce  
Mann, Maureen  
Nigrello, Robert  
Peckham, Michele  
Sherman, Thomas  
Ward, Gerald  
Whittemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Hayes, Jack  
Hoelzel, Kathleen  
Milz, David  
Oigny, Jeffrey  
Rice, Frederick  
Sweeney, Joe  
Wazlaw, Brian

Briden, Steven  
Charron, Gene  
Emerson-Brown, Rebecca  
Heffron, Frank  
Lovejoy, Patricia  
Moody, Marcia  
Packard, Sherman  
Sapareto, Frank  
Tasker, Kyle  
Webb, James Sr

**STRAFFORD**

Baber, William  
 Burdwood, Greg  
 Gray, James  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

Berube, Roger  
 Gardner, Janice  
 Grossman, Kenneth  
 Kaen, Naida  
 Miller, David  
 Schmidt, Peter  
 Stevens, Audrey

Bickford, David  
 Ginsburg, Philip  
 Hooper, Dorothea  
 Ketel, Stephen  
 Perry, Robert  
 Smith, Marjorie  
 Verschueren, James

Bixby, Peter  
 Grassie, Anne  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

**SULLIVAN**

Cloutier, John  
 Grenier, James  
 Sweeney, Cynthia

Donovan, Thomas Jr  
 Irwin, Virginia  
 Tanner, Linda

Gagnon, Raymond  
 O'Hearne, Andrew

Gottling, Suzanne  
 Schmidt, Andrew

**NAYS 102****BELKNAP**

Comtois, Guy  
 Sylvia, Michael

Cormier, Jane

Greemore, Robert Jr

Luther, Robert

**CARROLL**

Crawford, Karel  
 Wright, Donald

McConkey, Mark

Schmidt, Stephen

Umberger, Karen

**CHESHIRE**

Roberts, Kris

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**

Barry, Richard  
 Culbert, Patrick  
 Hopper, Gary  
 Martel, Andre  
 Murphy, Kelleigh  
 Ober, Lynne  
 Renzullo, Andrew  
 Straight, Philip  
 Villeneuve, Moe

Burt, John  
 Daniels, Gary  
 Infantine, William  
 McCarthy, Michael  
 Notter, Jeanine  
 Parison, James  
 Sanborn, Laurie  
 Stroud, Kathleen  
 Winters, Joel

Cebrowski, John  
 Gagne, Larry  
 Lambert, George  
 Meaney, Richard  
 O'Brien, William  
 Pellegrino, Tony  
 Sandblade, Emily  
 Sweeney, Shawn

Christiansen, Lars  
 Hansen, Peter  
 LeBrun, Donald  
 Murphy, Keith  
 O'Flaherty, Tim  
 Peterson, Lenette  
 Souza, Kathleen  
 Ulery, Jordan

**MERRIMACK**

Hoell, J.R.  
 Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

Reed, Dennis

**ROCKINGHAM**

Abrami, Patrick  
 Chirichiello, Brian  
 DeSimone, Debra  
 Fesh, Robert  
 Gordon, Richard  
 Harris, Jeffrey  
 Khan, Aboul  
 McMahon, Charles

Allen, Mary  
 Comerford, Timothy  
 Duarte, Joe  
 Friel, William  
 Grace, Curtis  
 Introne, Robert  
 Kolodziej, Walter  
 O'Connor, John

Baldasaro, Alfred  
 Copeland, Timothy  
 Dumaine, Dudley  
 Garcia, Bianca  
 Griffin, Mary  
 Itse, Daniel  
 Major, Norman  
 Priestley, Anne

Birdsell, Regina  
 Danais, Romeo  
 Emerick, J. Tracy  
 Garcia, Marilinda  
 Hagan, Joseph  
 Kappler, Lawrence  
 McKinney, Betsy  
 Sanders, Elisabeth

Scarlottio, Joe  
Tamburello, Daniel

Schroadter, Adam  
Thompson, David

Sedensky, John  
Tucker, Pamela

St.James, Kevin  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Pitre, Joseph

Groen, Warren

Jones, Laura

Mullen, John Jr

### SULLIVAN

Rollins, Skip

Smith, Steven

and floor amendment to House Rule 63 was adopted.

Rep. Burt offered a floor amendment to House Rule 63.

### Floor Amendment to House Rule 63

**Amend the first sentence of Rule 63** to read as follows:

No person, including members of the House, except law enforcement officers while actively engaged in carrying out their duties as such, shall carry or have in possession any deadly weapon as defined in RSA 625:11, V while in the House Chamber, anterooms, cloakrooms, or any portion of the State House adjacent to any of the above, *except for any person with a legal State of New Hampshire Pistol/Revolver License in accordance with Chapter 159 of New Hampshire Revised Statutes Annotated 1955, as Amended 1979.*

Rep. Groen spoke in favor.

Rep. Daniel Eaton spoke against and yielded to questions.

Rep. Burt spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

### YEAS 156 NAYS 209

#### YEAS 156

#### BELKNAP

Burchell, Richard  
Flanders, Donald  
Tilton, Franklin

Comtois, Guy  
Greemore, Robert Jr  
Vadney, Herbert

Cormier, Jane  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Luther, Robert

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

#### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

#### GRAFTON

Bailey, Brad

Bradley, Lester

Ladd, Rick Jr

Reilly, Harold Sr

#### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Pellegrino, Tony  
Rowe, Robert

Burt, John  
Coffey, James  
Flanagan, Jack  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie

Sandblade, Emily  
Stroud, Kathleen  
Villeneuve, Moe

Shaw, Barbara  
Sweeney, Shawn  
Warden, Mark

Souza, Kathleen  
Takesian, Charlene  
Willette, Robert

Straight, Philip  
Ulery, Jordan  
Winters, Joel

### MERRIMACK

Hess, David  
Reed, Dennis

Kotowski, Frank  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
Nigrello, Robert  
Peckham, Michele  
Sapareto, Frank  
Sweeney, Joe  
Tucker, Pamela

Allen, Mary  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Priestley, Anne  
Scarlotto, Joe  
Tamburello, Daniel  
Waterhouse, Kevin

Baldasaro, Alfred  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
McMahon, Charles  
Oigny, Jeffrey  
Rice, Frederick  
Schroadter, Adam  
Tasker, Kyle  
Webb, James Sr

Birdsell, Regina  
Danaïs, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
Milz, David  
Packard, Sherman  
Sanders, Elisabeth  
St.James, Kevin  
Thompson, David  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Pitre, Joseph

Gray, James  
Verschueren, James

Groen, Warren

### SULLIVAN

Cloutier, John

Grenier, James

Rollins, Skip

Smith, Steven

### NAYS 209

### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis  
Sylvia, Michael

Gulick, Ruth

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

### COOS

Coulombe, Gary  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

### GRAFTON

Aguiar, James  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Almy, Susan  
Doolan, Ralph Jr  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Benn, Bernard  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Brown, Rebecca  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Boisvert, Ronald	Booras, Efstathia
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Eaton, Richard	Gage, Ruth
Gale, Sylvia	Gargas, Carolyn	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin	Jeudy, Jean
Katsiantonis, George	Kelley, John	Knowles, Mary Ann	Kopka, Angeline
Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie	Long, Patrick
MacKay, Mariellen	Manley, Jonathan Sr	McCloskey, David	O'Brien, Michael Sr
Porter, Marjorie	Ramsey, Peter	Rhodes, Brian	Rokas, Ted
Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman	Smith, Timothy
Soucy, Timothy	Spratt, Stephen	Sullivan, Peter	Vail, Suzanne
Vaillancourt, Steve	Walsh, Robert Jr	Williams, Kermit	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hoell, J.R.
Hunt, Jane	Karrick, David Jr	Kelly, Sally	Kidder, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Richardson, Gary	Rogers, Katherine	Schamberg, Thomas
Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Bick, Patrick	Borden, David	Briden, Steven
Burtis, Elizabeth	Cahill, Michael	Cali-Pitts, Jacqueline	Charron, Gene
Cushing, Robert Jr	Emerson-Brown, Rebecca	Flockhart, Eileen	Friel, William
Grace, Curtis	Hayes, Jack	Heffron, Frank	Helmstetter, Barbara
Lovejoy, Patricia	Mann, Maureen	Moody, Marcia	Muns, Chris
Pantelakos, Laura	Schlachman, Donna	Sedensky, John	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Grossman, Kenneth
Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Ketel, Stephen	Malloy, Dennis	Menear, H. Robert III	Miller, David
Mullen, John Jr	Perry, Robert	Rogers, Rose Marie	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Spainhower, Dale	Spang, Judith
Stevens, Audrey	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Donovan, Thomas Jr	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia	Tanner, Linda

and floor amendment to House Rule 63 failed.

Rep. Cloutier voted Yea and intended to vote Nay.

Rep. Kurk offered a floor amendment to House Rule 63.

**Floor Amendment to House Rules**

Amend the first sentence of Rule 63 to read as follows:

No person, including members of the House, except law enforcement officers while actively engaged in carrying out their duties as such, shall carry or have in possession any deadly weapon as defined in RSA 625:11, V, while in the House Chamber, anterooms, cloakrooms, or any portion of the State House adjacent to any of the above; *provided, however, that during any time while the House is in*

*session, the Speaker shall designate two individuals, one to remain on the floor of the Chamber and one to remain in the gallery, who may be members or other persons permitted in the House Chamber, anterooms, cloakrooms, or any portion of the State House adjacent to any of the above, to be armed with a firearm, except that for a particular occasion the Speaker may deem such a requirement unnecessary or inappropriate.*

Rep. Kurk spoke in favor and yielded to questions.

Rep. Daniel Eaton spoke against and yielded to questions.

On a division vote, 117 members having voted in the affirmative and 247 in the negative, the floor amendment to House Rule 63 failed.

## SENATE MESSAGE CONCURRENCE

**HB 101**, relative to calculation of the local tax cap by the Newfound area school district.

The House recessed at 1:15 p.m.

## RECESS

The House reconvened at 2:15 p.m.

(Speaker Norelli in the Chair)

## AMENDMENT TO HOUSE RULES (CONT'D)

The question now being adoption of the amendment to House Rule 63.

Reps. Baldasaro and Dumaine spoke against and yielded to questions.

Reps. Hikel, Notter, James Belanger, Frederick Rice and Peterson spoke against.

Rep. Shurtleff spoke in favor.

Rep. Flanagan requested a roll call; sufficiently seconded.

**YEAS 196 NAYS 153**

## YEAS 196 BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

## CARROLL

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
White, Syndi

Crawford, Karel

Lavender, Tom

## CHESHIRE

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

## COOS

Coulombe, Gary  
Theberge, Robert

Hammon, Marcia

Hatch, William

Moynihan, Wayne

## GRAFTON

Aguilar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

## HILLSBOROUGH

Backus, Robert  
Campbell, David

Beaulieu, Jane  
Carroll, Douglas

Boisvert, Ronald  
Chandley, Shannon

Booras, Efstathia  
Cote, David



DiSilvestro, Linda  
Gargas, Carolyn  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Peter  
Williams, Kermit

Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Kopka, Angeline  
MacKay, Mariellen  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne  
Woodbury, David

Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Leishman, Peter  
Manley, Jonathan Sr  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Vaillancourt, Steve

Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Kelley, John  
Levesque, Melanie  
McCloskey, David  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Shurtleff, Stephen  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Richardson, Gary  
Tilton, Joy  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Schamberg, Thomas  
Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Schlachman, Donna  
Wazlaw, Brian

Borden, David  
Cali-Pitts, Jacqueline  
Heffron, Frank  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

Briden, Steven  
Cushing, Robert Jr  
Helmstetter, Barbara  
Muns, Chris  
Till, Mary

Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

### STRAFFORD

Baber, William  
Ginsburg, Philip  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

Berube, Roger  
Grassie, Anne  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Bixby, Peter  
Grossman, Kenneth  
Malloy, Dennis  
Perry, Robert  
Spainhower, Dale  
Wall, Janet

Burdwood, Greg  
Horrigan, Timothy  
Meneau, H. Robert III  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Donovan, Thomas Jr  
O'Hearne, Andrew

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

### NAYS 153

### BELKNAP

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

Fink, Charles  
Luther, Robert  
Worsman, Colette

Flanders, Donald  
Sylvia, Michael

### CARROLL

Ahlgren, Christopher  
Merrow, Harry  
Wright, Donald

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**Bailey, Brad  
Ladd, Rick JrBradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**Barry, Richard  
Byron, Frank  
Daniels, Gary  
Gidge, Kenneth  
Hikel, John  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
O'Flaherty, Tim  
Peterson, Lenette  
Sandblade, Emily  
Sweeney, Shawn  
Warden, MarkBelanger, James  
Cebrowski, John  
Danielson, David  
Graham, John  
Hinch, Richard  
Lambert, George  
McCarthy, Michael  
Murphy, Kelleigh  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Takesian, Charlene  
Willette, RobertBoehm, Ralph  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Ulery, Jordan  
Winters, JoelBurt, John  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Pellegrino, Tony  
Sanborn, Laurie  
Stroud, Kathleen  
Villeneuve, Moe**MERRIMACK**Hess, David  
McGuire, DanHoell, J.R.  
Reed, DennisKotowski, Frank  
Walsh, Thomas IV

McGuire, Carol

**ROCKINGHAM**Abrami, Patrick  
Birdsell, Regina  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
Nigrello, Robert  
Priestley, Anne  
Scarlottio, Joe  
Tamburello, Daniel  
Webb, James SrAllen, Mary  
Charron, Gene  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Hayes, Jack  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Rice, Frederick  
Schroadter, Adam  
Thompson, David  
Weyler, KennethBaldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
McMahon, Charles  
Oligny, Jeffrey  
Sanders, Elisabeth  
Sedensky, John  
Tucker, PamelaBick, Patrick  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
Milz, David  
Packard, Sherman  
Sapareto, Frank  
Sweeney, Joe  
Waterhouse, Kevin**STRAFFORD**Beaudoin, Steven  
Mullen, John JrGray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

and the amendment to House Rule 63 was adopted.

**PROTEST**

Whereas the Constitution of the State of New Hampshire, Part the Second, Article 24 provides that every member of the New Hampshire House of Representatives has the right to have their protest against any vote, with the reasons, entered into the Journal of the House;

Therefore, I hereby protest the change to the Rules of the New Hampshire House of Representatives adopted on Wednesday, January 2, 2013 for the following reason and request the recording of the same in the Journal of the House of Representatives of the State of New Hampshire:

The prohibition on carrying deadly weapons on the floor of the chamber of the New Hampshire House of Representatives, anteroom and gallery per Rule 63 deprives the members of the New

Hampshire House of Representatives and the general public of their natural rights recognized in the Constitution of the State of New Hampshire, Part the First, Article 2-a, "*All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state.*"; thus depriving them of the means to protect their natural rights recognized under Article 2, "*All men have certain natural, essential, and inherent rights – among which are, the enjoying and **defending** life and liberty; acquiring, possessing, and **protecting**, property; and, in a word, of seeking and obtaining happiness.*"; without providing any substantive of effective protection of those rights in return; leaving the members of the House of Representatives, and the members of the general public who choose to attend our proceedings liable to the machinations and evil designs of wicked men. The deprivation of the right of self-defense without providing any reciprocal protection of life, liberty or property ought to render that deprivation null and void per The Constitution of the State of New Hampshire, Part the First, Article 3, "*When men enter into a state of society, they surrender up some of their natural rights to that society, in order to ensure the protection of others; and, **without such an equivalent, the surrender is void.***"

This change to the Rules of the New Hampshire House of Representatives is unconstitutional and unconscionable.

Reps. Allen, Baldasaro, Barry, Beaudoin, James Belanger, Bick, Boehm, Burt, Byron, Cebrowski, Charron, Coffey, Comerford, Comtois, Cordelli, Cormier, Danaïs, DeSimone, Devine, Duarte, Dumaine, Emerick, Ferrante, Fesh, Fink, Flanagan, Friel, Gagne, Bianca Garcia, Marilinda Garcia, Gionet, Gordon, Greemore, Groen, Hansen, Harris, Hayes, Hikel, Hinch, Hoell, Hoelzel, Gary Hopper, Introne, Itse, Jones, Kappler, Khan, Kolodziej, Lambert, LeBrun, McCarthy, Carol McGuire, Meaney, Mullen, Keith Murphy, Kelleigh Murphy, Notter, William O'Brien, O'Flaherty, Oligny, Palmer, Parison, Pellegrino, Peterson, Pitre, Pratt, Rappaport, Reed, Reilly, Renzullo, Frederick Rice, Rollins, Sandblade, Sanders, Schroader, Sedensky, Kathleen Souza, Shawn Sweeney, Sylvia, Tamburello, Tasker, Thompson, Tucker, Ulery, Vadney, Villeneuve, Warden, James Webb, Weyler, Willette, Worsman and #2 illegible signatures.

### AMENDMENT TO HOUSE RULES (CONT'D)

The question now being adoption of the amendment to House Rule 64.

Reps. Ulery and Tucker spoke against.

Rep. Jasper spoke against and yielded to questions.

Rep. Gary Richardson spoke in favor.

On a division vote, 193 members having voted in the affirmative and 145 in the negative, the amendment was adopted.

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly Enrolled House Bill numbered 101.

Rep. Shurtleff, Sen. Prescott for the Committee

### RESOLUTION

Rep. Shurtleff offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time and when the House adjourns today it be to meet Thursday, January 3, 2013 at 11:00 a.m.

Adopted.

### LATE SESSION

### UNANIMOUS CONSENT

Reps. Itse and Frederick Rice addressed the House.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.

Adopted.

The House recessed at 4:10 p.m.

### RECESS

### (Speaker Norelli in the Chair)

Rep. Pantelakos moved that the House adjourn.

Adopted.

## HOUSE JOURNAL No. 3

Thursday, January 3, 2013

The House assembled at 11:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

Good Morning. This morning's prayer is a slight adaptation of a prayer that was included in a collection of prayers for the new Millennium entitled *Prayers for a Thousand Years*. The author of the original prayer was Rabia Terri Harris. Let us pause from the smaller worries of today and open ourselves in silence to the grandeur of life and of God. Creator of the Universe, preserve us from our own presumptions. Do not let us close ourselves into ourselves, but open us continually into You and into the wider truth of Your world and Your peoples. Let us seek You more than our notions of You. Let us stop claiming to know everything so that we may understand something and something new. Increase in us kindness. Make us leaders who care and who take care, who venerate the truth and recognize You and honor one another. In Your Holy name we pray. Amen.

Representative Laura Pantelakos, member from Portsmouth, led the Pledge of Allegiance.

### LEAVES OF ABSENCE

Reps. Ronald Belanger, Bishop, Booras, Burke, Fesh, LaPlante, Lavender, Major, Mary Nelson, Russell Ober and Amy Perkins, the day, illness.

Reps. Allen, Arsenault, Bailey, Beaudoin, Beaulieu, James Belanger, Bickford, Birdsell, Briden, Bouchard, Burdwood, Burns, Burridge, Burt, Burtis, Butler, Byron, Charron, Chase, Chirichiello, Coffey, Cooney, Copeland, Crawford, DeSimone, Dobson, Donovan, Duarte, Richard Eaton, Emerick, Rebecca Emerson-Brown, Enman, Fink, Flanders, Friel, Larry Gagne, Bianca Garcia, Marilinda Garcia, Gardner, Ginsburg, Gottling, Grace, Grassie, Greemore, Groen, Grossman, Gulick, Hackel, Haefner, Hansen, Henle, Hess, Higgins, Hodgdon, Hoelzel, Holmes, Hubbard, Jane Hunt, John Hunt, Jane Johnson, Jones, Sally Kelly, Ketel, Kidder, Knowles, Lerandeau, Richard LeVasseur, Ley, Lockwood, Lovett, Mariellen MacKay, John Mann, Maureen Mann, Merrow, McConkey, Carol McGuire, Dan McGuire, McKinney, McMahon, Meaney, Bill Nelson, Notter, O'Hearne, Oligny, Packard, Parison, Parkhurst, Parsons, Pastor, Patten, Peckham, Pelletier, Pitre, Rappaport, Reilly, Rhodes, Chip Rice, Rideout, Herbert Richardson, Rose Marie Rogers, Sad, Sanders, Janice Schmidt, Stephen Schmidt, Schroader, Schuett, Steven Smith, Todd Smith, Spainhower, Spang, Daniel Sullivan, Sylvia, Sytek, Takesian, Tamburello, Thompson, Franklin Tilton, Vail, Verschueren, Villeneuve, Thomas Walsh, Gerald Ward, Warden, Waterhouse, Webb, Weyler, Carol Williams and Worsman, the day, important business.

Reps. Lynne Ober and Lawrence Perkins, the day, illness in the family.

### INTRODUCTION OF GUESTS

Tammy Siekmann, guest of Rep. Whittemore. Ellen Fineberg, guest of Speaker Norelli.

### RESOLUTION

Reps. Cote and Comerford offered the following: RESOLVED, that the House of Representatives notify the Honorable Senate that it is ready to meet in Joint Convention for the purposes of hearing the report of the Joint Committee appointed to compare and count the votes for Governor and Executive Council, for the Inauguration of the Governor and for the taking of the oath by the Executive Council. Adopted.

### SENATE MESSAGE

The Senate is now ready to meet with the Honorable House of Representatives in Joint Convention for the purpose of hearing the report of the Joint Committee appointed to compare and count the votes for Governor and Executive Council, for the Inauguration of the Governor, the Honorable Margaret Wood Hassan, and for the taking of the oath by the Executive Council.

### JOINT CONVENTION

(Speaker Norelli presiding)

## REPORT

Reps. Kaen, Shurtleff and Chandler and Sens. Bradley and Larsen offered the following report: The Joint Committee appointed to compare and count the votes for Governor and Executive Council reports that it has attended to its duties and the vote is correct.

### INTRODUCTION AND SEATING OF SPECIAL GUESTS

The Sergeant-at-Arms introduced the following special guests who were escorted to their seats by Aides-de-camp: Family and friends of Governor-Elect Hassan. Mayor of Concord, Hon. James Bouley. Commissioners and Department Heads. Assistant Administrative Judge of the New Hampshire Circuit Court, Hon. David D. King. Administrative Judge of the New Hampshire Circuit Court, Hon. Edwin Kelly. Chief Justice of the New Hampshire Superior Court, Hon. Tina Nadeau. Associate Justices of the New Hampshire Supreme Court, Hon. James P. Basset, Hon. Robert J. Lynn and the Hon. Carol Ann Conboy. Senior Associate Justice of the New Hampshire Supreme Court, Hon. Gary E. Hicks. Chief Justice of the New Hampshire Supreme Court, Hon. Linda S. Dalianis. United States District Court Judges for the District of New Hampshire, Hon. Landya McCafferty, Hon. Joseph N. Laplante and the Hon. Paul J. Barbadoro. Chief Judge of the United States District Court for the District of New Hampshire, Hon. Steven J. McAuliffe. New Hampshire Attorney General, Hon. Michael Delaney. Leadership of the New Hampshire House of Representatives. Former New Hampshire Congressman, Hon. Paul Hodes and his wife, Peggo Hodes. Hon. William H. Shaheen and his daughter, Stefany Shaheen. United States Senator, Hon. Kelly Ayotte. Mrs. Dorothy Peterson and her son, the Hon. Andrew Peterson. Governor John H. Sununu and his wife, Nancy Sununu. Governor Stephen E. Merrill. Governor Craig Benson and his wife, Denise Benson. New Hampshire State Treasurer, Hon. Catherine Provencher. New Hampshire Secretary of State, Hon. William Gardner. The Reverend Clergy. Retiring Executive Councilor representing District 2, Hon. Daniel St. Hilaire. Retiring Executive Councilor representing District 4, Hon. Raymond J. Wiczorek. Executive Councilor representing District 1, Hon. Raymond S. Burton. Executive Councilor-Elect representing District 2, Colin Van Ostern. Executive Councilor representing District 3, Hon. Christopher T. Sununu. Executive Councilor-Elect representing District 4, Hon. Christopher Pappas. Executive Councilor-Elect representing District 5, Hon. Debora Pignatelli. Governor John H. Lynch and his wife, Dr. Susan Lynch. Governor-Elect Hassan's mother, sister and brother, Margaret, Franny and Frank Wood. Governor-Elect Hassan's son and daughter, Benjamin and Margaret Hassan, accompanied by Joyce Averill and Elizabeth Halliday.

Governor-Elect Margaret Wood Hassan and her husband, Thomas E. Hassan were introduced and escorted to the rostrum by Major General William N. Reddel III, the Adjutant General of the State of New Hampshire.

### INVOCATION

Offered by the Reverend Canon Charles LaFond, Canon for Congregational Life of the Episcopal Diocese of New Hampshire.

Blessed are You, Lord God of the Cosmos, for You brood over us as a mother hen broods over her young. You make all things new and so we begin this new year and this new work together as leaders in New Hampshire. Lay Your warm, gentle, loving hand on us and most especially on Maggie Hassan, her family, her counselors and her staff; with blessings of strength in adversity, comfort in conflict, rest in accomplishment, wisdom in choice-making and courage in the face of manipulation. So enliven our hearts and invigorate our souls that we work as hard for the financially poor as for the financially powerful. Give to all those in power an ability to see the difference between what is important and what is simply urgent. Reduce our ego and increase our hope. And, so from The Connecticut River to the Salmon Falls River and from Franconia Notch to the Canterbury Shaker Village, bless this land; her farmers and her Senators, her workers and her Representatives, her Governor and her most recent new-born; and all for Your love's sake for You are gracious, oh, lover of souls, cradling us always in the arms of Your loving embrace. Amen.

### POSTING OF COLORS

Members of the Colonial Color Guard and the New Hampshire National Guard Honor Guard posted the Colors. They were assisted in the House Chamber by the Governor's Horse Guards, Mounted Ceremonial Unit.

## PLEDGE OF ALLEGIANCE

Chief Warrant Officer of the National Guard, Charlie Morgan of New Durham led the Pledge of Allegiance.

## NATIONAL ANTHEM

The National Anthem was sung by Briana Nadeau of Durham.

## PRAYER FOR PEACE AND THANKSGIVING

Offered by Rabbi Jonathan Spira-Savett of Temple Beth Abraham in Nashua.

Holy One. Life of the Universe who gives us life, Merciful One who weaves all of us together in love, we thank You for this gathering of freedom and peace. Each person in this state is a migrant from tyranny, whether four hundred years ago in family memory or just this year in person. Just to sit here, brothers and sisters together, citizens and those who govern us, is a miracle that so few like us have known in the whole history of humanity. Let us be thankful today, for two things unusual and one more obvious that may bless us, through those taking solemn oaths today. Let us be thankful for ambition. It is said in the Talmud that one day the people captured desire and envy and threw them into a cage, but that day no work was done, no egg was laid, no child conceived. Thank you, our leaders, for your powerful ambitions which have driven you to campaign and lead and push you to succeed. May you always tie those ambitions to your visions, and to our needs. Let us be thankful for opponents. In Hebrew, the word for gratitude is the same as the word for conceding to a better argument and it is said in the Jewish tradition that a wise person should be a lover of rebuke. May the fire of your opponents' passion not blind you in fury, but rather kindle your own. May those who vie with you, around meeting tables or in this chamber, sharpen you, as you find through your opponents sparks of truth that only others carry. I know you are thankful for the opportunity to serve our state and its people, as we are thankful to you. Though many in our state serve others, here, uniquely, it is your duty to serve us all at once. This is a large responsibility, but one that enlarges you, that gives you the chance to be more than you were before you took these oaths. May your service find in you hidden stores of wisdom and patience, of creativity against the complex problems we face. In the presence of our new governor, our leaders new and returning and in this gathering of peaceful community, I offer this blessing: Baruch Atah Adonai, Elohaynu Melech Ha-olam, Shehecheyanu V'kiy'manu V'higiyanu lazman hazeh. Praised are You, Adonai our God, weaver of all time and space, who gives us life and keeps us alive and brings us to this very moment. Amen.

## OATHS OF OFFICE

The Honorable Linda S. Dalianis, Chief Justice of the New Hampshire Supreme Court administered the oath of office to Governor-elect Margaret Wood Hassan. Thomas, Benjamin and Margaret Hassan, husband, son and daughter, joined the Governor on the rostrum.

Governor Hassan administered the oath of office to the Honorable Executive Councilors-elect Raymond S. Burton, Colin Van Ostern, Christopher T. Sununu, Christopher C. Pappas and Debora B. Pignatelli.

## PRAYER FOR A SUCCESSFUL ADMINISTRATION

Offered by Reverend Nancy Rockwell, former Senior Pastor of the Congregational Church of Exeter. O God, whose spirit hovers over our mountains, blesses our waters, gives us strength and ingenuity to rebuild our cities and shines in the devotion of those who cherish our towns, we ask You to bless this new administration, elected to lead us for the next two years. With Maggie Hassan, whom we have chosen to be our Governor, these Senators and Representatives can lead us, the good people of New Hampshire, into new hope and possibility, into the best that is in us and into our hopes for better days. May they work together productively and well. O God, You know we can be difficult people, but we can also shine with goodwill, amaze the world with our resourcefulness, work till the cows come home and imagine an answer for every problem. May the Legislature and the Governor, in their grace, wisdom and thoughtfulness, do wonderful things. We pray that the Governor and our Legislators may lead us into adventure, art and works of peace, creating a sustainable state, where our young will not have to leave to find work, nor our old have to leave to retire; where new immigrants will find welcome and good will, not a cold shoulder; where those with special needs will find dignity and all who love will find acceptance; where public university education will be

available to all. May our leaders rise to all the occasions they face with hope, energy, humor and faith. We pray that You bless the public voice of our leaders, that they may speak for the needs of people and the critical needs of our environment; the air around us, the soil beneath our feet, the water in our rivers and trees upon our mountains. Honoring our diversity of faiths, may they make room for our different understandings of righteousness. As leaders, may they all have our goodwill, respect and support, as we walk through these next two years. Our times are a gift, O God. May we rejoice in them. Amen.

### READING

Timothy Pratt of Concord recited a work by Charles Pratt.

#### *Into Place*

It's not so much a departure as an arrival,  
Or rather, a having arrived – as when, out driving,  
You pass an orchard on a southward hill,  
Old apple trees aslant in heaps of prunings.  
For Sale. What do you know of apples? Still,  
One morning you wake up under a different ceiling  
And feeling that you've not chosen but been chosen,  
Are something less than owner, more than guest.  
You fertilize and mow, attend the slow  
Growth of apples readying for harvest,  
And settle into place like leaves or snow,  
Unfold like a letter delivered as addressed.

### MUSICAL INTERLUDE

Introduced by Anna Prior of Exeter, "Give us Hope" was performed by The Cecilia Ensemble, directed by Maria Belva and accompanied by David Vernier.

### INAUGURAL ADDRESS

#### **By Governor Margaret Wood Hassan**

Madame Speaker, Mr. President, Madame Chief Justice, honorable members of the House and Senate and Executive Council, former Governors, our honorable United States Senator, my fellow citizens: Thank you for the trust you have placed in me, it humbles me and it will sustain me as I work to lead our remarkable state. Today, as I was sworn in as your governor, I pledged to follow the constitutions of New Hampshire and of the United States. Now, I will make one more promise: I will work as hard as I can to honor your trust. I will strive to do so in the tradition that has guided us throughout our history: the tradition of openness, bipartisanship, and collective problem solving. No one has exemplified that tradition more than the person I am succeeding, someone I want to thank on behalf of all of our citizens for his four terms in the Corner Office. Thank you, Governor John Lynch. I sought this office so that we could shape our own way forward, harnessing the promise of our great citizen democracy to preserve and strengthen our state's special qualities. I know that, together, we can build a stronger, more innovative New Hampshire, a New Hampshire where all of our citizens are included in our shared success and prosperity. To our very core, we value freedom, independence, hard work, fiscal responsibility, family and community. We live these values in our personal lives and in our workplaces and every citizen, regardless of circumstance, should have the opportunity to live them too, to hold a good job, work hard, raise a family and share in the high quality of life we enjoy in New Hampshire. When they do, they become empowered and our state grows stronger. Our ability to accomplish this goal lies in our willingness to innovate, not only to develop innovative new products and services, but to innovate in other areas as well; in the operation of our traditional industries, in the way we educate our citizens, in the way we deliver government's essential services and in providing the tools that support growing businesses and create good middle-class jobs. New Hampshire has many distinctions we can be proud of. We have the lowest poverty rate and lowest teen birth rate in the country. We are consistently rated as one of the safest states and one of the best places in the country to raise children. We are uniquely suited to seize the promise and opportunity that innovation presents, but adapting to the demands of an innovation economy presents immediate challenges, too. Our population is aging, yet we pursue policies that are driving our young people out of the state. We have the fourth highest in-state tuition for public

universities in the country and too many of our talented students pursue a college education elsewhere. When these New Hampshire natives complete school, they often choose not to return, depriving our economy of talented people with the energy and skills needed to drive innovation. We need to renew our tradition of attracting new citizens to our state and we need to help our young people stay here, raise their own families here and remain part of the future of New Hampshire. Cutting state support for public education in half while lowering the tobacco tax two years ago was short sighted. It hurt our young people and, if not quickly addressed, will impair our future economic prosperity. We must begin to reverse course. In exchange, the University System, working with us, needs to increase the number of New Hampshire students admitted to our state colleges and universities and freeze in-state tuition. We must also recognize that not every student chooses the same path and that our community college system has developed innovative, nimble and cutting edge programs to educate our citizens. We must continue to support their efforts to build the strong workforce that our citizens need. I have always believed strongly in the power and value of education. My parents were educators and I was fortunate that they worked to make sure that my sister, brother and I received the best educations possible. Mom and Dad created a home in which the value of learning, the obligations of citizenship and vigorous but respectful debate were emphasized. Our home was always warm and rarely dull. It is difficult for me to express how grateful I am to my parents and family. I am so glad that my mother, Peggy, my sister Franny and my brother Frank are here today. Given the importance of education in my life, it's probably not an accident that I chose to marry an educator. I am so proud of the work my husband Tom does as Principal of Phillips Exeter Academy and am so grateful for the support he has given me. Tom, you will bring insight, humor and skill to the role of First Gentleman. Thank you. I am also a very proud mother. My two children, Ben and Meg have inspired me, grounded me and supported me. I wouldn't be here without you. And, I can't talk about my family without acknowledging how much we have been helped and enriched by the team of caregivers who have provided superb care and support to Ben, allowing him to receive a full education and participate in his community. You have all become an integral part of our family and give proof to the idea that when we care for each other, we all get stronger. Thank you. I want the same for all of New Hampshire's young people as I want for my own children, the opportunity to learn, to grow and to lead. Recently, I had the privilege of visiting Girls, Inc. in Nashua, which helps teach important life skills to girls and young women. Dozens of energetic girls ranging from wriggling 5 and 6 years old to collected teenagers had waited patiently for us to arrive. They had researched the questions they wanted to ask and their knowledge was impressive, but it wasn't really the topics that were important. They were being encouraged to imagine and realize that they could be leaders too. That they could be anything they wanted to be. In order for the girls I met at Girls Inc. and all of our young people to realize their dreams, we must ensure that at each step along the way, their education is providing them with the skills, knowledge and innovative thinking needed in a 21st century economy. We must work with teachers, local schools, higher education and the business community to ensure a robust and rigorous education for all of our students, including in the STEM fields of science, technology, engineering and math. New Hampshire's public colleges and universities have set an ambitious goal of doubling the number of STEM students that graduate by 2025. We should embrace that goal and make achieving it a state priority. Businesses are ready and willing to hire people with these skills. Our task is to make sure New Hampshire's workforce is ready to fill these jobs. We have other opportunities and challenges as well. To compete in the 21st century, our businesses must find new markets for their innovative goods and services. Ninety-five percent of the world's consumers live outside of the United States. I want New Hampshire to be a leader in exports and in the next two years I'll work to help our businesses sell their products around the globe. To encourage innovation, we should also encourage the creation of new technologies here in New Hampshire by doubling the research and development tax credit. We want entrepreneurs with innovative ideas to come to New Hampshire and we want those who start businesses here to stay here and grow here. That means continuing to build strategic partnerships between our colleges and universities and our inventors and entrepreneurs. Take the example of Therma-HEXX in Portsmouth. Bob Barmore, Therma-HEXX's founder and CEO, had the idea of using low-cost, energy efficient components to build simple heating and cooling devices for homes and commercial buildings. Bob told me the idea came to him when he was sitting with his wife on a rooftop deck that was too cold in the winter and too warm in the summer. He thought, "There has to be a way to fix this." He did, and with support and guidance from the Green Launching Pad, a business incubator at UNH, Bob has developed his idea into a successful and growing business



right here in New Hampshire. To support these businesses, we must recognize that there are some tasks that can only be accomplished in partnership with government. Chief among those are ensuring access to education for all, protecting public safety and building and maintaining the infrastructure that businesses and citizens need. We must recognize that businesses, from established industries, such as manufacturing and tourism, to the industries of the future, cannot innovate and grow without the modern roads, bridges, broadband and reliable and clean power that they require. To address our challenges and seize the opportunity of innovation, we must summon our best traditions of cooperation and problem solving. The people of our state collaborate and make things work all the time and their elected leaders must be able to do the same. The people of New Hampshire have made it clear that they want to restore balance, that they want us to work together. Let us promise ourselves today that we will meet our challenges by focusing on commonsense solutions born of collaboration, that we will together end the era of hasty, reactive government. I understand the work of the House and the Senate. I was honored to be one of you. What you do matters and affects the lives of real people. To the best of my abilities I will work with you and foster an open dialogue. In return, I urge members of both parties to share your ideas and concerns with me. My door will be open and together we can find a way to solve problems and make New Hampshire a better place. Among the most challenging tasks ahead is the need to foster innovative economic growth while continuing to balance the state budget. While we are seeing signs of recovery and growth, we still face fiscal uncertainty. We will need to be prudent as we develop our budget and I am mindful that innovation is not confined to the private sector. We need to continue to find ways to innovate in state government so that we can honor our tradition of fiscal responsibility while serving the people of New Hampshire effectively and efficiently. Granite Staters are frugal and the history of our state government reflects that. To those of you who believe deeply in an income tax, I ask you to put that aside. I will veto an income or sales tax and as we build our next budget, though we have much to address, we must acknowledge that we will not be able to do everything all at once. To those on the other side, I ask you to recognize that there are some things that government must do not only to help our most vulnerable citizens but also to provide the platform for economic growth. Needs do not go away simply because we don't fund them and opportunities for innovation and growth can evaporate if we fail to make smart investments in a timely way, but if we work together, we can fund our priorities and balance the budget. As lawmakers, we must also recognize that our first and most important obligation is to protect the safety of New Hampshire families. I am so grateful to all those in our state who put their lives on the line to protect our communities, from the police officers, fire fighters, EMTs and other first responders, to corrections officers and security personnel, to state employees who maintain our health and safety and so many more. And, we are grateful and proud of our veterans and members of the armed forces and the New Hampshire National Guard, so many of whom have been deployed repeatedly overseas in the last several years to protect our state and our nation while we have been at war. I know we all remain shaken by the tragic shooting at Sandy Hook Elementary School. We can be comforted in the knowledge that our New Hampshire educators are as bravely and professionally devoted to their students as the heroes in Newtown were. We can be grateful that our first responders protect us by responding to grave and unknown dangers with calm, skill and intensity. But while our faith in those who provide for the safety of our communities should be stronger than ever, we will all need to honor the victims of the Newtown tragedy by coming together to find ways to make our schools and our towns safer and better. There is so much that I love about our state. Most mornings I walk in the woods along the Exeter River. The sound of pine needles crackling under foot, the muted alarm of mallards as my dog and I walk by, the beauty and the stillness of an ice-covered stream, bring clarity and cheer me as I begin my day. It reminds me that New Hampshire is a place of unmatched natural beauty. We see it in the mountains that tower over the North Country, in the lakes that freckle our state and in the rocky shores and sandy beaches of the Seacoast. We see it in every town and city. The awe-inspiring beauty of our natural resources is critical to our hunting, fishing and tourism industries. It attracts businesses and entrepreneurs to New Hampshire and it is critical to the quality of our daily lives. But what I love most about New Hampshire is the all-hands-on-deck ethos of our people. Whenever there is a challenge, our people are ready to help and pitch in. We are a state that combines independence and community as nowhere else. But that ethos requires that we fully include all people of talent and energy in the life of our State. Inclusiveness is part of our history. New Hampshire was at the forefront of the fight to save the union and end slavery. Over the decades we have welcomed waves of new citizens, from the Irish and French-Canadian immigrants of the 19th century

to the immigrants from Nepal, Bhutan and all around the world who are reinvigorating our state today. We are a model for including both men and women in our political process, exemplified today when a woman Supreme Court Chief Justice swore in a woman Governor. We led the effort to end discrimination against people who experience disabilities and we helped bring them out of institutions and into the community. Our recommitment now to that endeavor will strengthen our families, communities and economy and nearly four years ago, we led the way, without the force of a court order, toward marriage equality. Last year I was on a plane when the man next to me struck up a conversation and asked me about my work in public service, including Marriage Equality. It turns out he was a recruiter for one of the biggest employers in New Hampshire, and he said to me, "Marriage Equality is one of the best recruitment tools I have." He said it wasn't because he was necessarily recruiting gay or lesbian individuals. It was because passing Marriage Equality in New Hampshire signaled to everyone the kind of welcoming state we are. And, as has been true throughout our history, every time we bring more people in from the margins, into the heart and soul of our democracy, we get stronger. We believe in freedom and the value of every person. It is our duty and our destiny to extend the same freedoms we enjoy to all our people. The work of moving this special state forward cannot be done by office holders alone. The doors of this State House are open to all who want to engage, learn and contribute. It will take the ideas and spirit and energy of everyone. More so than any other place, New Hampshire is a government "by the people." Addressing our challenges will not be easy. But we are Granite Staters and Americans and we are supposed to do hard things. The question is whether we will live up to the grand vision that our founders had. Remember, the notion that we could operate as a true citizen democracy while also becoming an economic force in the world was, at the time, a revolutionary one. To some degree, our ability to prove our founders right will depend on how we approach our task. Scripture refers to something called, "gladness of heart," an appreciation of the opportunity and freedom to do difficult things. In this time and in this place, let's choose to move our state forward with the optimism and pragmatism that is our hallmark. With "gladness of heart," let's choose to remember what a gift it is to be citizens of the Granite State. Thank you.

### **BENEDICTION**

Offered by Father Robert Gorski, Pastor at St. Pius X Parish in Manchester.

Almighty God, father of Abraham, Isaac and Jacob, revealed to us in the Word made flesh, Jesus Christ, You have shown Your glory to all nations. God of power and might, wisdom and justice, through Your authority is rightly administered, laws enacted and judgment is decreed. Assist with Your spirit of counsel and fortitude the Governor of the State of New Hampshire, Maggie Hassan, that her administration may be conducted in righteousness and be eminently useful to Your people over whom she presides. May she encourage due respect for the quality of life, for virtue and religion. May she and other State leaders work together to pursue the common good and to give preference to the most vulnerable among us, especially the unborn, the poor, the disabled, the elderly and the immigrant. May she execute the laws of this State with justice and mercy. May she seek to restrain crime, vice and immorality. We pray for Maggie Hassan, the Governor of the state of New Hampshire, for the members of the legislature, for judges, elected civil officials and all others entrusted to guard our political welfare. May they be enabled, by Your powerful protection, to discharge their duties with honesty and ability. We likewise commend to your unbounded mercy, all citizens of this State, that we may be blessed in the knowledge and sanctified in the observance of Your Holy law. May we, on the occasion of this inauguration, work together for mercy, peace and justice for all of our citizens, and after enjoying the blessings of this life, be admitted to eternal life. We pray to You, who are Lord and God, forever and ever. Amen

Rep. Walz and Sen. Bradley moved that the Joint Convention arise.

Adopted.

The Joint Convention adjourned.

### **HOUSE SESSION** **(Speaker Norelli in the Chair)**

### **RESOLUTION**

Rep. Campbell offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time.

**RECESS MOTION**

Rep. Campbell moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.

Adopted.

The House recessed to the Call of the Chair at 1:15 p.m.

**RECESS**

**(Rep. Shurtleff in the Chair)**

**RESOLUTION**

Rep. Weber offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 102 through 126 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

**INTRODUCTION OF HOUSE BILLS****First, second reading and referral**

**HB 102**, relative to custody and control of the remains of deceased persons by next of kin. (Kappler, Rock 3; Boutin, Dist 16; Reagan, Dist 17: Judiciary)

**HB 103-FN**, reducing the penalty for violating a local vendor ordinance. (Parison, Hills 25: Municipal and County Government)

**HB 104**, amending certain requirements to obtain a local vendor license. (Parison, Hills 25: Municipal and County Government)

**HB 105**, relative to the release of motor vehicle registration information. (Luther, Belk 3: Transportation)

**HB 106**, relative to the demand for rent and other damages, and the repeal of the landlord-agent requirement. (Warden, Hills 39; Pitre, Straf 2; LeBrun, Hills 32; Jones, Straf 24: Judiciary)

**HB 107**, relative to the losing party's payment of the prevailing party's costs in tort actions. (Vaillancourt, Hills 15: Judiciary)

**HB 108**, permitting manufactured housing parks and condominium associations to access dog registration records. (LeBrun, Hills 32: Municipal and County Government)

**HB 109-FN-L**, repealing group licenses for dog owners. (Cebrowski, Hills 7: Municipal and County Government)

**HB 110**, requiring persons who record cruelty to livestock to report such cruelty and submit such recordings to a law enforcement agency. (Haefner, Hills 37; Sad, Ches 1; Shurtleff, Merr 11; Carson, Dist 14; Odell, Dist 8: Environment and Agriculture)

**HB 111**, relative to the acquisition of property at Akers Pond dam in the town of Errol by the fish and game department. (Chandler, Carr 1; Rappaport, Coos 1; Enman, Coos 1; Woodburn, Dist 1: Resources, Recreation and Development)

**HB 112-FN**, relative to registration permit fees for special use vehicles. (J. Webb, Rock 6; Sapareto, Rock 6; Ferrante, Rock 6; Andrews, Merr 23; Ulery, Hills 37: Transportation)

**HB 113**, relative to lot access for erection of buildings. (J. Belanger, Hills 27: Municipal and County Government)

**HB 114**, relative to abutter access over subdivided land. (J. Belanger, Hills 27: Municipal and County Government)

**HB 115**, relative to the procedure for filling a vacancy on a cooperative school district budget committee. (J. Belanger, Hills 27; Flanagan, Hills 26; Gargasz, Hills 27; Bragdon, Dist 11; Gilmour, Dist 12: Municipal and County Government)

**HB 116**, relative to the powers of an executor or administrator to take control of a decedent's social networking websites. (P. Sullivan, Hills 10: Judiciary)

**HB 117**, relative to driveway permits issued by the department of transportation. (D. McGuire, Merr 21; Carey, Merr 26; Reagan, Dist 17: Public Works and Highways)

**HB 118**, providing legal immunity for 911 calls for drug or alcohol related emergencies. (Winters, Hills 18: Judiciary)

**HB 119**, relative to voter registration. (Horriggan, Straf 6; Moody, Rock 17; K. Ward, Straf 21: Election Law)

**HB 120**, relative to hours of sales by off-premises liquor licensees. (Comerford, Rock 33; Schroader, Rock 17; Itse, Rock 10; Tucker, Rock 23: Commerce and Consumer Affairs)

**HB 121-FN**, requiring drug testing of applicants for Temporary Assistance to Needy Families (TANF). (LeBrun, Hills 32; Notter, Hills 21: Health, Human Services and Elderly Affairs)

**HB 122**, relative to limitation of appropriations in official ballot municipalities. (Parkhurst, Ches 13: Municipal and County Government)

**HB 123**, relative to the limitation of liability for negligence regarding firefighters. (Kappler, Rock 3; Hansen, Hills 22; Baldasaro, Rock 5; Pitre, Straf 2; Boutin, Dist 16: Judiciary)

**HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. (Major, Rock 14; Weyler, Rock 13; St. James, Rock 13: Executive Departments and Administration)

**HB 125**, requiring the reporting of certain felony offenses by postsecondary educational institutions. (Ladd, Graf 4; Ford, Graf 3; Shurtleff, Merr 11: Criminal Justice and Public Safety)

**HB 126-L**, relative to use of revolving funds by towns for maintaining recycling programs. (Daniels, Hills 40; Burns, Merr 2: Municipal and County Government)

## RECESS

(Rep. Shurtleff in the Chair)

## RESOLUTION

Rep. Norelli offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 127 through 169 and Constitutional Amendment Concurrent Resolutions numbered 1 through 4 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

## INTRODUCTION OF HOUSE BILLS AND CACRS

### First, second reading and referral

**HB 127-FN-L**, relative to the state minimum hourly rate. (P. Sullivan, Hills 10; Horrigan, Straf 6: Labor, Industrial and Rehabilitative Services)

**HB 128**, relative to recording public votes in public records. (Christiansen, Hills 37: Judiciary)

**HB 129**, relative to access to galleries in the general court. (Horrigan, Straf 6; P. Sullivan, Hills 10; Chase, Ches 8: Legislative Administration)

**HB 130**, relative to upgrading the wiring of retail service stations to support generators or alternate power sources. (J. Belanger, Hills 27: Science, Technology and Energy)

**HB 131-FN-L**, relative to payment for medical services for county prisoners. (J. Belanger, Hills 27; Shurtleff, Merr 11: Criminal Justice and Public Safety)

**HB 132-FN-L**, relative to responsibility for medical costs incurred by a person in custody. (J. Belanger, Hills 27; Shurtleff, Merr 11: Criminal Justice and Public Safety)

**HB 133**, relative to the authority of the superintendent of a county correctional facility to release a prisoner. (J. Belanger, Hills 27; Shurtleff, Merr 11: Criminal Justice and Public Safety)

**HB 134**, relative to contingency funds in towns. (J. Belanger, Hills 27; Gargas, Hills 27: Municipal and County Government)

**HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force. (Shurtleff, Merr 11; Benn, Graf 12; Fuller Clark, Dist 21; Larsen, Dist 15: Criminal Justice and Public Safety)

**HB 136-L**, relative to compensation for attendance at meetings of the county convention. (Theberge, Coos 3: Municipal and County Government)

**HB 137**, relative to special number plates for members of the national guard. (Stroud, Hills 21; Barry, Hills 21; Copeland, Rock 19: Transportation)

**HB 138**, permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article on the official ballot. (Cushing, Rock 21; Muns, Rock 21; Andrews-Ahearn, Rock 37; F. Rice, Rock 21; Emerick, Rock 21; Stiles, Dist 24: Municipal and County Government)

**HB 139**, relative to the time towns that have adopted official ballot voting have to approve bonding in solid waste management districts. (Cushing, Rock 21; Muns, Rock 21; Andrews-Ahearn, Rock 37; F. Rice, Rock 21; Emerick, Rock 21; Stiles, Dist 24: Municipal and County Government)

- HB 140**, relative to the committee on legislator orientation. (L. Ober, Hills 37; Tucker, Rock 23; Weyler, Rock 13; Carson, Dist 14: Legislative Administration)
- HB 141**, relative to training for new executive branch commissioners. (L. Ober, Hills 37; C. McGuire, Merr 29; R. Ober, Hills 37: Executive Departments and Administration)
- HB 142**, relative to teacher evaluation systems. (Ladd, Graf 4; Boehm, Hills 20; Graham, Hills 7; Jasper, Hills 37: Education)
- HB 143**, allowing straight ticket voting. (Notter, Hills 21; Peterson, Hills 21; LeBrun, Hills 32; F. Rice, Rock 21: Election Law)
- HB 144**, prohibiting the state, counties, towns, and cities from implementing programs of, expending money for, receiving funding from, or contracting with the International Council for Local Environmental Initiatives. (Peterson, Hills 21; Notter, Hills 21; Birdsell, Rock 13; Hansen, Hills 22; LeBrun, Hills 32; J. Belanger, Hills 27; Murotake, Hills 32: Municipal and County Government)
- HB 145-FN**, authorizing multi-use number plates. (Umberger, Carr 2; Hinch, Hills 21; Rhodes, Hills 30: Transportation)
- HB 146**, increasing the speed limit on a portion of I-93 to 70 miles per hour. (Umberger, Carr 2; Rappaport, Coos 1; Ladd, Graf 4; Butler, Carr 7; Bucu, Carr 2: Transportation)
- HB 147-FN**, establishing a formula for reimbursing municipalities for assessment expenses. (Lockwood, Merr 9; Cooney, Graf 8: Municipal and County Government)
- HB 148**, relative to electoral college electors. (Weed, Ches 16: Election Law)
- HB 149**, relative to the information on fuel invoices. (Townsend, Graf 11: Commerce and Consumer Affairs)
- HB 150**, relative to inspectors of election at town and school district meetings. (Steven Smith, Sull 11: Election Law)
- HB 151**, relative to duties of inspectors of election. (Steven Smith, Sull 11: Election Law)
- HB 152**, establishing a committee to study the feasibility of personal rapid transit systems. (Steven Smith, Sull 11; Cloutier, Sull 10: Transportation)
- HB 153**, prohibiting the designation of industrial hemp as a controlled substance. (Michael Garcia, Hills 34; Warden, Hills 39; Jones, Straf 24: Criminal Justice and Public Safety)
- HB 154-FN**, establishing the New Hampshire condominium law review board. (Kappler, Rock 3; LeBrun, Hills 32: Commerce and Consumer Affairs)
- HB 155**, relative to the use of open source software by state agencies; including the department of information technology in the uniform electronic transactions act; and repealing the information practices act. (L. Ober, Hills 37; Leishman, Hills 24: Executive Departments and Administration)
- HB 156**, relative to the appointment and duties of the state fire marshal. (Burrige, Ches 16: Executive Departments and Administration)
- HB 157**, renaming Blood Pond in the town of Lancaster as Mountain Lake Pond. (H. Richardson, Coos 4; Rideout, Coos 7: Resources, Recreation and Development)
- HB 158**, relative to the issuance of waivers for lot loading or setback distances in condominium conversion. (Chandler, Carr 1; Pantelakos, Rock 25; Bradley, Dist 3: Resources, Recreation and Development)
- HB 159**, requiring patriotic exercises in public schools on federal Constitution Day. (Cordelli, Carr 4: Education)
- HB 160**, relative to a school district's transportation responsibility for pupils of divorced parents with joint decision making responsibility. (Coffey, Hills 25; Parison, Hills 25: Education)
- HB 161**, relative to school district policies on health and sex education. (Boehm, Hills 20; Pitre, Straf 2: Education)
- HB 162**, relative to the scope of the New Hampshire rail transit authority. (Suzanne Smith, Graf 8; Cooney, Graf 8: Transportation)
- HB 163**, relative to special number plates for disabled veterans. (Rhodes, Hills 30; Hinch, Hills 21; Roberts, Ches 4: Transportation)
- HB 164**, establishing a legislative oversight committee on corrections issues. (Robertson, Ches 6; Itse, Rock 10: Criminal Justice and Public Safety)
- HB 165**, establishing a committee to study the use of the sex offender registry. (Robertson, Ches 6: Criminal Justice and Public Safety)
- HB 166**, requiring the public utilities commission to make specific findings as to the public need for proposed transmission lines. (Townsend, Graf 11; Suzanne Smith, Graf 8: Science, Technology and Energy)

**HB 167**, relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin. (Cushing, Rock 21; Chandley, Hills 22: Criminal Justice and Public Safety)

**HB 168-FN-A**, increasing the beer tax. (Weed, Ches 16; R. Eaton, Hills 38: Ways and Means)

**HB 169**, establishing an employers' private right of action to enforce the payment of workers' compensation coverage. (Weed, Ches 16: Labor, Industrial and Rehabilitative Services)

**CACR 1**, relating to taxation. Providing that 3/5 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments of principal of all state bonds. (Ulery, Hills 37; Carson, Dist 14: Ways and Means)

**CACR 2**, relating to taxation. Providing that taxes imposed by the state of New Hampshire or its subdivisions may be graduated. (Weed, Ches 16; Robertson, Ches 6: Ways and Means)

**CACR 3**, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. (Itse, Rock 10; Comerford, Rock 33; Tucker, Rock 23; Kappler, Rock 3; Baldasaro, Rock 5; Hoell, Merr 23: Children and Family Law)

**CACR 4**, relating to the supreme court. Providing that rules made by the chief justice of the supreme court governing the administration of the courts in the state and the practice and procedure to be followed in all such courts shall not have the force and effect of law. (Christiansen, Hills 37: Judiciary)

### COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Patten off Fish and Game and Marine Resources and on Transportation.

Rep. Kaen off Transportation and on Fish and Game and Marine Resources.

Rep. Schamberg off State-Federal Relations and Veterans Affairs and on Ways and Means.

Rep. Menear off Ways and Means and on State-Federal Relations and Veterans Affairs.

### RECESS

(Rep. Weber in the Chair)

### RESOLUTION

Rep. Jasper offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 170 through 189 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

### INTRODUCTION OF HOUSE BILLS

#### First, second reading and referral

**HB 170**, relative to the definition of a gift to an elected official, public official, public employee, constitutional official, or legislative employee. (Sapareto, Rock 6; Tamburello, Rock 5; Goley, Hills 8: Legislative Administration)

**HB 171**, relative to the civil penalty for failure to make payment of workers' compensation. (J. Webb, Rock 6; Kappler, Rock 3; H. Richardson, Coos 4; Flanagan, Hills 26; Thompson, Rock 6; Ferrante, Rock 6; O'Connor, Rock 6: Labor, Industrial and Rehabilitative Services)

**HB 172**, requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation. (J. Webb, Rock 6; Kappler, Rock 3; H. Richardson, Coos 4; Flanagan, Hills 26; Thompson, Rock 6; Ferrante, Rock 6; O'Connor, Rock 6: Labor, Industrial and Rehabilitative Services)

**HB 173**, repealing the authority for supplemental allowances under the judicial retirement plan. (C. McGuire, Merr 29; Kurk, Hills 2; Jones, Straf 24; Reagan, Dist 17: Executive Departments and Administration)

**HB 174**, prohibiting the use of motor vehicle records for any federal identification database. (C. McGuire, Merr 29; Winters, Hills 18; Kurk, Hills 2; Jones, Straf 24; Reagan, Dist 17: Transportation)

**HB 175**, relative to New Hampshire domestic liquor and wines. (John Hunt, Ches 11; Schlachman, Rock 18: Commerce and Consumer Affairs)

**HB 176**, allowing towns and cities to grant a part year veterans credit during the year of acquisition of property. (John Hunt, Ches 11; Baldasaro, Rock 5: Municipal and County Government)

**HB 177**, relative to licensing requirements for homestead food. (C. McGuire, Merr 29; Comtois, Belk 7; Sad, Ches 1; Haefner, Hills 37; Jones, Straf 24: Environment and Agriculture)

**HB 178-FN-L**, relative to binding arbitration in public labor relations disputes. (Weed, Ches 16; Myler, Merr 10; Ley, Ches 9; Coulombe, Coos 3: Labor, Industrial and Rehabilitative Services)

**HB 179**, repealing the law on weather modification experimentation. (Tremblay, Rock 4; Notter, Hills 21; Abrami, Rock 19: Science, Technology and Energy)

**HB 180**, relative to the definitions of “student athlete” and “student sports” for the management of concussion and head injury. (Ladd, Graf 4; A. White, Graf 13; Schlachman, Rock 18; D’Allesandro, Dist 20; Carson, Dist 14; Reagan, Dist 17: Education)

**HB 181**, repealing the equalization standards board. (Lockwood, Merr 9; D. McGuire, Merr 21; Cooney, Graf 8: Municipal and County Government)

**HB 182**, relative to appointments to the assessing standards board. (Lockwood, Merr 9; Cooney, Graf 8: Municipal and County Government)

**HB 183**, relative to processing absentee ballots. (J. Belanger, Hills 27; Hoelzel, Rock 3; Gargas, Hills 27; Byron, Hills 20; Carey, Merr 26; Ferrante, Rock 6; Shurtleff, Merr 11; LeBrun, Hills 32; Flanagan, Hills 26; Reagan, Dist 17; Gilmour, Dist 12; Prescott, Dist 23: Election Law)

**HB 184-FN**, relative to the oil discharge cleanup fund. (L. Webb, Merr 3; Haefner, Hills 37; D’Allesandro, Dist 20; Odell, Dist 8: Resources, Recreation and Development)

**HB 185-FN**, relative to the fuel oil discharge cleanup fund. (L. Webb, Merr 3; Haefner, Hills 37; D’Allesandro, Dist 20; Odell, Dist 8: Resources, Recreation and Development)

**HB 186**, relative to the authority of the department of state. (L. Ober, Hills 37; C. McGuire, Merr 29; Carson, Dist 14; Boutin, Dist 16: Executive Departments and Administration)

**HB 187**, relative to deliberative sessions in towns that have adopted official ballot voting. (Porter, Hills 1: Labor, Industrial and Rehabilitative Services)

**HB 188**, decreasing the time required for eviction notice in cases where there is a material breach of the lease and requiring the tenant to meet financial obligations under the lease pending appeal. (Warden, Hills 39; Jones, Straf 24: Judiciary)

**HB 189**, repealing the commission to study water infrastructure sustainability funding. (Kappler, Rock 3; Itse, Rock 10; Hansen, Hills 22; Baldasaro, Rock 5; Pitre, Straf 2; Weyler, Rock 13; Reagan, Dist 17: Resources, Recreation and Development)

## RECESS

(Rep. Shurtleff in the Chair)

## RESOLUTION

Rep. Joy Tilton offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 190 through 214 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

## INTRODUCTION OF HOUSE BILLS

### First, second reading and referral

**HB 190**, relative to professional misconduct of dental hygienists. (Borden, Rock 24; Sherman, Rock 24: Executive Departments and Administration)

**HB 191**, relative to conformity of governmental land uses to land use regulations. (K. Rogers, Merr 28; Carey, Merr 26: Municipal and County Government)

**HB 192**, relative to street rods. (Tasker, Rock 2; Danais, Rock 2; Tucker, Rock 23; H. Richardson, Coos 4; Duarte, Rock 2: Transportation)

**HB 193**, relative to registration of vehicles by residents without a permanent street address. (Rhodes, Hills 30: Transportation)

**HB 194**, relative to collection of permit fees paid with insufficient fund checks. (Rhodes, Hills 30; Hinch, Hills 21: Transportation)

**HB 195**, relative to commercial driver learner permits. (Rhodes, Hills 30; Soucy, Hills 34; Hinch, Hills 21: Transportation)

**HB 196**, relative to weight of commercial vehicles with idle reduction devices. (Rhodes, Hills 30; T. Soucy, Hills 34; Hinch, Hills 21; Lasky, Dist 13: Transportation)

**HB 197**, relative to state representative districts in Hillsborough county. (Takesian, Hills 37; Knowles, Hills 37: Election Law)

- HB 198**, relative to town boundary perambulation. (Weyler, Rock 13; Umberger, Carr 2; Cataldo, Dist 6; Reagan, Dist 17: Municipal and County Government)
- HB 199**, relative to expenditures from the fish and game search and rescue fund. (Weyler, Rock 13; Rappaport, Coos 1: Fish and Game and Marine Resources)
- HB 200**, relative to an employer's burden of proof in unemployment compensation hearings. (Steven Smith, Sull 11: Labor, Industrial and Rehabilitative Services)
- HB 201**, relative to school district policies on health and sex education. (Ladd, Graf 4; Boehm, Hills 20: Education)
- HB 202-FN**, relative to liquor licenses for inns. (Weber, Ches 1; Butler, Carr 7: Commerce and Consumer Affairs)
- HB 203**, relative to workers' compensation coverage for contractors on state projects. (Graham, Hills 7; Bouchard, Merr 18; Rausch, Dist 19: Public Works and Highways)
- HB 204-FN-L**, relative to the removal of social security and other numbers from registry of deeds documents available on the Internet. (Watrous, Merr 16; Kurk, Hills 2: Municipal and County Government)
- HB 205**, relative to the identification of dental prosthetic and orthodontic appliances. (D. Hooper, Straf 16; Grassie, Straf 11; Copeland, Rock 19; Pantelakos, Rock 25; Ferrante, Rock 6; Lockwood, Merr 9; Porter, Hills 1; Frazer, Merr 13; J. MacKay, Merr 14: Health, Human Services and Elderly Affairs)
- HB 206**, relative to political advertising. (Perry, Straf 3; Levesque, Hills 26; Leishman, Hills 24: Election Law)
- HB 207**, relative to the inspection and regulation of coin-operated amusement rides. (Cali-Pitts, Rock 30: Executive Departments and Administration)
- HB 208**, relative to annual reports of county officers. (Bouchard, Merr 18; Kurk, Hills 2: Municipal and County Government)
- HB 209**, relative to the relinquishment of firearms as a condition of bail. (Lambert, Hills 44; Pitre, Straf 2; Ulery, Hills 37; Itse, Rock 10; Kappler, Rock 3; Comerford, Rock 33; Hoell, Merr 23: Criminal Justice and Public Safety)
- HB 210**, relative to the procedure for eviction from a manufactured housing park. (Warden, Hills 39: Judiciary)
- HB 211**, relative to service of demand for rent and eviction notice. (Jasper, Hills 37; Boutin, Dist 16; Carson, Dist 14: Judiciary)
- HB 212**, relative to charitable gaming. (D. Sullivan, Hills 42; Graham, Hills 7: Ways and Means)
- HB 213**, requiring college courses completed by a high school student to be counted in the student's grade point average. (Roberts, Ches 4: Education)
- HB 214**, relative to the eligibility of high school students enrolled in college courses to participate in high school extracurricular activities. (Roberts, Ches 4: Education)

## RECESS

(Rep. Kaen in the Chair)

## RESOLUTION

Rep. Norelli offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 215 through 238 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

## INTRODUCTION OF HOUSE BILLS

### First, second reading and referral

- HB 215-FN-L**, relative to workforce housing and the definition of community. (Flanagan, Hills 26; Jasper, Hills 37; Burt, Hills 6; Baldasaro, Rock 5; Roberts, Ches 4; Carson, Dist 14: Municipal and County Government)
- HB 216**, relative to the use of the title "fire marshal." (Rhodes, Hills 30; M. O'Brien, Hills 36; Andrews, Merr 23: Executive Departments and Administration)
- HB 217**, imposing an extended term of imprisonment for assault against a health care provider. (A. White, Graf 13: Criminal Justice and Public Safety)



**HB 218-FN**, prohibiting interference with access to medical services and health insurance of New Hampshire citizens. (Itse, Rock 10; Comerford, Rock 33: Health, Human Services and Elderly Affairs)

**HB 219**, limiting the authority of delegates to Article V conventions. (Itse, Rock 10; Comerford, Rock 33: State-Federal Relations and Veterans Affairs)

**HB 220**, relative to the New Hampshire medal of honor. (Graham, Hills 7; Major, Rock 14; Kappler, Rock 3; Theberge, Coos 3; Baldasaro, Rock 5; D'Allesandro, Dist 20; Bradley, Dist 3: State-Federal Relations and Veterans Affairs)

**HB 221**, relative to the duty of the long range capital planning and utilization committee. (Graham, Hills 7; Cloutier, Sull 10; Rausch, Dist 19: Public Works and Highways)

**HB 222**, relative to business names registered with the secretary of state. (D. McGuire, Merr 21: Commerce and Consumer Affairs)

**HB 223**, relative to access to school-approved means of communication by recognized youth organizations. (Haefner, Hills 37: Education)

**HB 224**, relative to the authority of the superintendent of a county correctional facility. (Pantelakos, Rock 25; Shurtleff, Merr 11; Fesh, Rock 6; Charron, Rock 4; J. Belanger, Hills 27: Criminal Justice and Public Safety)

**HB 225**, relative to the rulemaking authority of the liquor commission. (C. McGuire, Merr 29; Ulery, Hills 37; Sad, Ches 1; Jones, Straf 24: Executive Departments and Administration)

**HB 226**, establishing a committee to study the promotion of New Hampshire wines. (Sad, Ches 1; D. McGuire, Merr 21: Commerce and Consumer Affairs)

**HB 227**, relative to property and casualty insurance. (Butler, Carr 7; John Hunt, Ches 11; Flanders, Belk 3: Commerce and Consumer Affairs)

**HB 228**, relative to insurance fraud. (Butler, Carr 7; John Hunt, Ches 11; Flanders, Belk 3: Commerce and Consumer Affairs)

**HB 229-FN**, relative to a financial examination supervisor. (Butler, Carr 7; John Hunt, Ches 11; Flanders, Belk 3: Commerce and Consumer Affairs)

**HB 230**, relative to administrative supervision of insurers. (Butler, Carr 7; John Hunt, Ches 11; Flanders, Belk 3: Commerce and Consumer Affairs)

**HB 231**, relative to reinsurance. (Schlachman, Rock 18; John Hunt, Ches 11: Commerce and Consumer Affairs)

**HB 232**, relative to the membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment. (J. MacKay, Merr 14; Butynski, Ches 1; Kelly, Dist 10: Health, Human Services and Elderly Affairs)

**HB 233**, relative to the care of war memorials in Franconia Notch state park. (Baldasaro, Rock 5; Theberge, Coos 3; Shurtleff, Merr 11; Tamburello, Rock 5; Weyler, Rock 13; Kappler, Rock 3; Griffin, Rock 7; R. Ober, Hills 37; Graham, Hills 7; LeBrun, Hills 32: Resources, Recreation and Development)

**HB 234**, relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training. (Baldasaro, Rock 5; Tamburello, Rock 5; Griffin, Rock 7; Kappler, Rock 3; L. Ober, Hills 37; R. Ober, Hills 37; LeBrun, Hills 32; Theberge, Coos 3; W. O'Brien, Hills 5; Shurtleff, Merr 11: Executive Departments and Administration)

**HB 235**, allowing counties to contract for professional real estate services for the sale or lease of county property. (Jasper, Hills 37; Spratt, Hills 4: Municipal and County Government)

**HB 236**, relative to membership of the council on autism spectrum disorders. (Harding, Graf 13; M. MacKay, Hills 30; Leishman, Hills 24; McMahon, Rock 7; DiMartino, Belk 2; Pierce, Dist 5; Odell, Dist 8; Stiles, Dist 24; Reagan, Dist 17: Health, Human Services and Elderly Affairs)

**HB 237**, relative to home production of liquor and wine for personal or family use. (M. Mann, Rock 32; Duarte, Rock 2; Danaïs, Rock 2; Tasker, Rock 2; Boutin, Dist 16: Commerce and Consumer Affairs)

**HB 238**, relative to the disposition of estates valued at less than \$10,000. (J. Webb, Rock 6; Grassie, Straf 11; Ferrante, Rock 6; Ulery, Hills 37; F. Rice, Rock 21; O'Connor, Rock 6; Sapareto, Rock 6; Flanagan, Hills 26; Bradley, Dist 3; Rausch, Dist 19: Judiciary)

RECESS

(Rep. Shurtleff in the Chair)

**RESOLUTION**

Rep. Shannon Chandley offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 239 through 261, House Concurrent Resolutions numbered 1 and 2 and Constitutional Amendment Concurrent Resolution numbered 5 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.  
 Adopted.

**INTRODUCTION OF HOUSE BILLS, HCRS AND CACR****First, second reading and referral**

**HB 239**, relative to online availability of certain county budget information and reports. (Cordelli, Carr 4; Reilly, Graf 9: Municipal and County Government)

**HB 240-FN-A**, repealing the prospective repeal date for the research and development tax credit. (G. Richardson, Merr 10; Shurtleff, Merr 11: Ways and Means)

**HB 241-FN**, establishing a state minimum hourly rate. (Robertson, Ches 6: Labor, Industrial and Rehabilitative Services)

**HB 242**, relative to child passenger restraint requirements. (Kelly, Merr 20; Gile, Merr 27; Knowles, Hills 37; Davis, Merr 20; Schuett, Merr 20; Fuller Clark, Dist 21: Transportation)

**HB 243**, relative to the board of trustees of a chartered public school. (Allen, Rock 15; Weyler, Rock 13: Education)

**HB 244-FN**, establishing the purple heart toll pass for qualifying veterans. (Weyler, Rock 13; Sedensky, Rock 13; Umberger, Carr 2; Baldasaro, Rock 5; L. Ober, Hills 37; Cataldo, Dist 6: Public Works and Highways)

**HB 245**, relative to the cost of railroad crossings upon the restoration of rail service. (Kidder, Merr 5; Leishman, Hills 24: Transportation)

**HB 246**, relative to falsity by employer. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)

**HB 247-FN**, increasing compensation for wrongful incarceration. (Robertson, Ches 6; Sapareto, Rock 6; Christiansen, Hills 37; Itse, Rock 10: Criminal Justice and Public Safety)

**HB 248**, establishing a committee to study implementation of early processing of absentee ballots at state elections. (Ferrante, Rock 6; Chirichiello, Rock 6; J. Webb, Rock 6; O'Connor, Rock 6; Milz, Rock 6; Hoelzel, Rock 3; Till, Rock 6: Election Law)

**HB 249-FN**, requiring employers to verify an employee's eligibility to work in the United States. (Duarte, Rock 2; Tamburello, Rock 5; Rappaport, Coos 1; Pitre, Straf 2; Renzullo, Hills 37; Reagan, Dist 17; Boutin, Dist 16: Labor, Industrial and Rehabilitative Services)

**HB 250-FN-A**, relative to campaign contributions and expenditures. (French, Merr 6; M. Mann, Rock 32; Hoelzel, Rock 3; Perry, Straf 3; Weed, Ches 16; D'Allesandro, Dist 20; Fuller Clark, Dist 21: Election Law)

**HB 251**, relative to the legislative members of the home education advisory council. (Gile, Merr 27; Gorman, Hills 31; Frazer, Merr 13; Shaw, Hills 16: Education)

**HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration. (Cooney, Graf 8: Executive Departments and Administration)

**HB 253**, eliminating limitations on sales by nano breweries for consumption on the premises. (O'Flaherty, Hills 12; Warden, Hills 39; Michael Garcia, Hills 34: Commerce and Consumer Affairs)

**HB 254-FN-A**, abolishing certain positions in the liquor commission. (L. Ober, Hills 37; C. McGuire, Merr 29; Sad, Ches 1; Leishman, Hills 24: Executive Departments and Administration)

**HB 255-FN**, relative to the workers' compensation law. (Daniels, Hills 40: Labor, Industrial and Rehabilitative Services)

**HB 256-FN**, relative to funding for the fish and game search and rescue fund. (Chandler, Carr 1; Goley, Hills 8; Reed, Merr 2; Kappler, Rock 3; Danais, Rock 2; Bradley, Dist 3; D'Allesandro, Dist 20; Watters, Dist 4: Fish and Game and Marine Resources)

**HB 257-FN**, discontinuing collection of the toll at exit 12 on the Everett turnpike in the town of Merrimack. (Notter, Hills 21; Peterson, Hills 21: Public Works and Highways)

**HB 258-FN**, prohibiting the taking of deer from baited areas. (Kidder, Merr 5: Fish and Game and Marine Resources)

**HB 259-FN**, relative to special licenses for taking lobster while engaged in recreational scuba diving. (Duarte, Rock 2; Tamburello, Rock 5; Rappaport, Coos 1; Pitre, Straf 2; Renzullo, Hills 37; Reagan, Dist 17; Boutin, Dist 16: Fish and Game and Marine Resources)

**HB 260-FN**, relative to voluntary services provided by the department of health and human services to children in need. (Lovejoy, Rock 36; Copeland, Rock 19: Children and Family Law)

**HB 261-FN**, relative to the assistance program for 2-parent families with dependent children. (Donovan, Sull 4; Porter, Hills 1; J. Schmidt, Hills 28; Gale, Hills 28; Hackel, Hills 29; Jack, Hills 36; Harriott-Gathright, Hills 36; Fuller Clark, Dist 21: Health, Human Services and Elderly Affairs)

**HCR 1**, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans. (Baldasaro, Rock 5; LeBrun, Hills 32; Kotowski, Merr 24; Tamburello, Rock 5; Kappler, Rock 3; Shurtleff, Merr 11; Theberge, Coos 3; R. Ober, Hills 37; Weyler, Rock 13; Griffin, Rock 7: State-Federal Relations and Veterans Affairs)

**HCR 2**, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights. (Cushing, Rock 21; Cooney, Graf 8; Weed, Ches 16; Pastor, Graf 12: State-Federal Relations and Veterans Affairs)

**CACR 5**, relating to bribery and corruption. Providing that no person incarcerated for a crime, under a conditional release from incarceration, completing an order of restitution for a crime, nor any person who has been convicted of intentional murder shall hold any office of trust in the New Hampshire government. (Baldasaro, Rock 5; Itse, Rock 10; Tamburello, Rock 5; Renzullo, Hills 37; Dumaine, Rock 4; Tremblay, Rock 4; Kappler, Rock 3; Groen, Straf 10; Tucker, Rock 23; W O'Brien, Hills 5: Election Law)

## RECESS

### (Rep. Cushing in the Chair)

### RESOLUTION

Rep. Jasper offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 262 through 286 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

## INTRODUCTION OF HOUSE BILLS

### First, second reading and referral

**HB 262**, establishing a committee to study the construction of a permanent memorial to Governor John Gilbert Winant on state property other than the state house grounds. (Shurtleff, Merr 11; C. Rice, Merr 27; D'Allesandro, Dist 20: Public Works and Highways)

**HB 263**, establishing a committee to study examination of elderly drivers. (Sad, Ches 1: Transportation)

**HB 264-FN**, relative to simple assault. (Sapareto, Rock 6; Keith Murphy, Hills 7; Kelleigh Murphy, Hills 7: Criminal Justice and Public Safety)

**HB 265**, relative to procedures by absentee voters. (F. Rice, Rock 21; J. Belanger, Hills 27; Emerick, Rock 21: Election Law)

**HB 266**, repealing certain agency rulemaking exemptions from the administrative procedures act. (C. McGuire, Merr 29; Jones, Straf 24: Executive Departments and Administration)

**HB 267**, relative to the board of accountancy. (C. McGuire, Merr 29; Jones, Straf 24: Executive Departments and Administration)

**HB 268-FN**, establishing a moratorium period for lobbying by certain state officers. (P. Sullivan, Hills 10: Legislative Administration)

**HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding. (Boehm, Hills 20; L. Ober, Hills 37: Education)

**HB 270-FN-A**, making an appropriation to the department of education to fund career and technical student organizations. (Shurtleff, Merr 11; Sad, Ches 1: Finance)

**HB 271**, stating that New Hampshire will not accept expanded Medicaid. (W. O'Brien, Hills 5; Comerford, Rock 33: Health, Human Services and Elderly Affairs)

**HB 272-FN**, relative to registration of aircraft based in another state. (Lefebvre, Sull 1: Transportation)

**HB 273-FN-L**, authorizing the commissioner of the department of resources and economic development to enter into contracts for the provision of free WiFi Internet access at Hampton

Beach state park. (Cushing, Rock 21; Muns, Rock 21; Andrews-Ahearn, Rock 37; F. Rice, Rock 21; Emerick, Rock 21; Stiles, Dist 24; Fuller Clark, Dist 21: Resources, Recreation and Development)  
**HB 274-FN**, requiring a mandatory minimum sentence for class B burglary. (C. McGuire, Merr 29: Criminal Justice and Public Safety)

**HB 275-FN**, requiring the liquor commission to establish a pilot program for the sale of New Hampshire microbrewery and nano brewery beers at certain state liquor stores. (Cushing, Rock 21; Chandley, Hills 22; Muns, Rock 21; O'Flaherty, Hills 12; Fuller Clark, Dist 21: Commerce and Consumer Affairs)

**HB 276**, relative to wildlife resistant solid waste storage and disposal. (Reilly, Graf 9: Fish and Game and Marine Resources)

**HB 277**, relative to the oath required of public officers. (Christiansen, Hills 37: Election Law)

**HB 278**, relative to voluntary installation of fire suppression sprinklers. (John Hunt, Ches 11: Commerce and Consumer Affairs)

**HB 279**, establishing a pilot program for New Hampshire citizen emergency response teams. (Hagan, Rock 4; Itse, Rock 10; Devine, Rock 4; Dumaine, Rock 4: Health, Human Services and Elderly Affairs)

**HB 280**, relative to voting requirements in towns that have adopted official ballot voting. (Abrami, Rock 19; Stroud, Hills 21; Theberge, Coos 3; Schroader, Rock 17; Stiles, Dist 24; Carson, Dist 14: Municipal and County Government)

**HB 281**, permitting retired judges over the age of 70 to serve the courts under certain circumstances. (Walz, Merr 23; G. Richardson, Merr 10: Judiciary)

**HB 282**, relative to mixed use school buses and relative to licensing and criminal records of driver education instructors. (Packard, Rock 5; Rausch, Dist 19: Transportation)

**HB 283**, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B. (D. Sullivan, Hills 42: Municipal and County Government)

**HB 284-FN**, providing for collection of the E-911 surcharge from certain prepaid cellular telephones. (Burridge, Ches 16: Science, Technology and Energy)

**HB 285**, restoring the authorization of the division of emergency services and communications and the division of fire standards and training and emergency medical services to make transfers from their respective funds in cases of unanticipated contingencies. (Burridge, Ches 16; Robertson, Ches 6: Finance)

**HB 286**, relative to broadband infrastructure. (Townsend, Graf 11; Pastor, Graf 12; Kelly, Dist 10: Science, Technology and Energy)

## RECESS

### (Rep. Mulholland in the Chair)

## RESOLUTION

Rep. Joy Tilton offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 287 through 387 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

## INTRODUCTION OF HOUSE BILLS

### First, second reading and referral

**HB 287-FN**, eliminating voter identification requirements. (Horriggan, Straf 6; Chase, Ches 8; Timothy Smith, Hills 17; Moody, Rock 17; Winters, Hills 18: Election Law)

**HB 288-FN**, relative to the department of health and human services promoting awareness of the federal earned income credit. (P. Sullivan, Hills 10: Commerce and Consumer Affairs)

**HB 289-FN**, increasing certain speed limits to 70 miles per hour. (Vaillancourt, Hills 15; Burt, Hills 6; D. McGuire, Merr 21; Sanborn, Dist 9: Transportation)

**HB 290-FN**, prohibiting unlicensed persons from openly carrying a pistol or revolver in a public building. (Burridge, Ches 16; Robertson, Ches 6: Criminal Justice and Public Safety)

**HB 291-FN**, increasing certain speed limits to 75 miles per hour. (Vaillancourt, Hills 15; Burt, Hills 6; Tamburello, Rock 5; Sanborn, Dist 9: Transportation)

**HB 292-FN-A**, requiring milfoil decals on private vessels registered in other states or countries and operating on the inland waters of New Hampshire. (Ahlgren, Carr 6; S. Schmidt, Carr 6; Spang, Straf 6; Bradley, Dist 3: Resources, Recreation and Development)

**HB 293**, relative to the adverse events reporting system. (Rosenwald, Hills 30; J. MacKay, Merr 14; McMahon, Rock 7; Sherman, Rock 24; Reagan, Dist 17; Gilmour, Dist 12: Health, Human Services and Elderly Affairs)

**HB 294**, relative to voter database information provided for preparation of jury lists. (Kurk, Hills 2: Election Law)

**HB 295**, requiring criminal background checks for volunteers and employees at youth skill camps. (LeBrun, Hills 32; Harding, Graf 13: Resources, Recreation and Development)

**HB 296**, relative to assignment of circuit court judges as liaison judges. (Rowe, Hills 22: Judiciary)

**HB 297**, relative to the management of trust funds and capital reserve funds. (F. Rice, Rock 21; Roberts, Ches 4; Hagan, Rock 4; Emerick, Rock 21; Stiles, Dist 24; Boutin, Dist 16: Municipal and County Government)

**HB 298**, prohibiting the publication of the names of persons granted property tax exemptions, credits, or deferrals. (A. White, Graf 13; Almy, Graf 13: Municipal and County Government)

**HB 299-FN**, relative to tuition payments for chartered public school pupils. (Boehm, Hills 20; Ladd, Graf 4; Pitre, Straf 2: Education)

**HB 300**, requiring postsecondary education institutions to compile and submit reports on remedial education courses. (Boehm, Hills 20; Pitre, Straf 2; Ladd, Graf 4: Education)

**HB 301**, relative to notice of sale in foreclosure proceedings. (Almy, Graf 13: Commerce and Consumer Affairs)

**HB 302**, relative to restrictions on holders of youth operators' licenses. (Kelly, Merr 20; Sad, Ches 1; Schuett, Merr 20; Knowles, Hills 37; Davis, Merr 20; Fuller Clark, Dist 21: Transportation)

**HB 303**, establishing a committee to study the teaching of a second language beginning in kindergarten. (Gargas, Hills 27; Ford, Graf 3; Gile, Merr 27; Kelly, Dist 10: Education)

**HB 304-FN**, relative to OHRV registration transfer fees, removing the penalty of completion of a training program for certain OHRV and snowmobile violations, and deleting OHRV and snowmobile vanity plates or decals. (Reed, Merr 2: Fish and Game and Marine Resources)

**HB 305**, establishing a committee to study the apportionment formula for cooperative school districts for towns with electric generation facilities. (Grenier, Sull 7; Steven Smith, Sull 11; Pitre, Straf 2; Odell, Dist 8: Municipal and County Government)

**HB 306**, establishing a commission to develop an energy policy for the state. (Rappaport, Coos 1: Science, Technology and Energy)

**HB 307**, relative to the removal of certain wood stoves upon the sale of a home and notification of such removal to the department of environmental services. (P. Schmidt, Straf 19; Cali-Pitts, Rock 30; Chase, Ches 8: Science, Technology and Energy)

**HB 308**, relative to technical changes to election laws. (Fields, Belk 4: Election Law)

**HB 309**, relative to filing for office. (Fields, Belk 4: Election Law)

**HB 310**, relative to application of laws on employment to the members of the house of representatives. (Christiansen, Hills 37: Legislative Administration)

**HB 311**, establishing a statutory expectation of privacy in personal materials. (Kurk, Hills 2: Judiciary)

**HB 312**, restricting the collection of biometric data by state agencies, municipalities, and political subdivisions. (Kurk, Hills 2; John Hunt, Ches 11; Winters, Hills 18: Executive Departments and Administration)

**HB 313**, relative to the regulation of the compounding of drugs by pharmacists. (D. Sullivan, Hills 42: Health, Human Services and Elderly Affairs)

**HB 314**, raising limits on single wagers in games of chance. (D. Sullivan, Hills 42; Graham, Hills 7: Ways and Means)

**HB 315-FN**, relative to liquor commission discounts. (Ulery, Hills 37: Commerce and Consumer Affairs)

**HB 316-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains. (Vaillancourt, Hills 15; Long, Hills 42; Winters, Hills 18: Health, Human Services and Elderly Affairs)

**HB 317-FN**, relative to verification of school district membership data. (Weyler, Rock 13; Lerandeau, Ches 12; Kurk, Hills 2; L. Ober, Hills 37; D. Eaton, Ches 3; Ford, Graf 3; Stiles, Dist 24; Reagan, Dist 17: Education)

**HB 318-FN**, relative to collection of the education property tax and establishing a program to rebate certain excess property tax payments of eligible taxpayers. (Sapareto, Rock 6; Weyler, Rock 13: Ways and Means)

**HB 319-FN**, relative to benefits for state employees serving in the armed forces. (Hess, Merr 24; Todd Smith, Merr 24; Kotowski, Merr 24; T. Walsh, Merr 24: Executive Departments and Administration)

**HB 320-FN**, establishing a state bank. (Christiansen, Hills 37; Itse, Rock 10; Weyler, Rock 13: Commerce and Consumer Affairs)

**HB 321-FN-L**, requiring proficiency on the statewide assessment for high school graduation. (Pitre, Straf 2: Education)

**HB 322-FN-L**, requiring proficiency on the statewide assessment for advancement to grades 4 and 8. (Pitre, Straf 2; Cataldo, Dist 6: Education)

**HB 323-FN**, establishing the Franklin Partin right-to-work act. (W. O'Brien, Hills 5; Baldasaro, Rock 5; Warden, Hills 39; Boehm, Hills 20; Cebrowski, Hills 7; Kappler, Rock 3; Comerford, Rock 33: Labor, Industrial and Rehabilitative Services)

**HB 324-FN-L**, relative to the school district budget for kindergarten. (Christiansen, Hills 37: Education)

**HB 325-FN**, relative to public employee suggestions for cost-saving measures. (Flanagan, Hills 26; Weyler, Rock 13; Jasper, Hills 37: Executive Departments and Administration)

**HB 326-FN**, relative to licensure of polysomnographers by the board of respiratory care practitioners. (Devine, Rock 4; Sanders, Rock 12; Hagan, Rock 4; Boutin, Dist 16; Cataldo, Dist 6; Reagan, Dist 17: Executive Departments and Administration)

**HB 327-FN**, relative to payment of attorneys' fees for indigent parents in termination of parental rights cases. (Rowe, Hills 22: Children and Family Law)

**HB 328-FN**, relative to the sale of pets. (O'Connor, Rock 6; Sad, Ches 1: Environment and Agriculture)

**HB 329-FN**, requiring purchasers of medical equipment to be notified of the actual cost of such equipment at time of sale. (Townsend, Graf 11: Health, Human Services and Elderly Affairs)

**HB 330-FN-L**, allowing counties to adopt a county income tax to be administered by the department of revenue administration. (Burridge, Ches 16; Robertson, Ches 6: Municipal and County Government)

**HB 331-FN**, relative to wine manufacturers. (Warden, Hills 39: Commerce and Consumer Affairs)

**HB 332-FN-A-L**, relative to antique vessel registration. (Ahlgren, Carr 6: Transportation)

**HB 333-FN**, relative to advertising of New Hampshire products by the liquor commission. (M. Mann, Rock 32; Duarte, Rock 2; Danais, Rock 2; Tasker, Rock 2: Commerce and Consumer Affairs)

**HB 334-FN**, requiring pharmacy interns to register with the pharmacy board. (P. Schmidt, Straf 19; Flanagan, Hills 26: Executive Departments and Administration)

**HB 335-FN-A**, relative to the tobacco tax. (Weyler, Rock 13; Sedensky, Rock 13; Reagan, Dist 17: Ways and Means)

**HB 336-FN**, prohibiting the retail sale of certain fireworks devices. (Takesian, Hills 37; Rhodes, Hills 30; Morse, Dist 22: Criminal Justice and Public Safety)

**HB 337-FN**, legalizing marijuana and cannabis. (Warden, Hills 39; Weed, Ches 16; Sylvia, Belk 6; O'Flaherty, Hills 12; Pratt, Hills 6; Tasker, Rock 2; D. McGuire, Merr 21; Reagan, Dist 17: Criminal Justice and Public Safety)

**HB 338-FN-L**, relative to the state contribution for water pollution control. (Umberger, Carr 2; Bucu, Carr 2; Chandler, Carr 1: Resources, Recreation and Development)

**HB 339-FN**, relative to consumer credit. (C. Rice, Merr 27; Davis, Merr 20: Commerce and Consumer Affairs)

**HB 340-FN-A**, relative to resurfacing a portion of East Conway Road and making an appropriation therefor. (Bucu, Carr 2; S. White, Carr 2; Butler, Carr 7; Bradley, Dist 3: Public Works and Highways)

**HB 341-FN**, relative to the cost of fiscal analysis of legislation relating to the retirement system. (K. Rogers, Merr 28; Soucy, Dist 18: Finance)

**HB 342-FN**, relative to part-time employment of retired members of the retirement system. (D. Sullivan, Hills 42: Executive Departments and Administration)

**HB 343-FN**, relative to laws regarding pawnbrokers. (Huot, Belk 3; DiMartino, Belk 2: Commerce and Consumer Affairs)

**HB 344-FN-L**, relative to aid to school districts for the cost of special education. (Ladd, Graf 4; Gile, Merr 27; Shaw, Hills 16: Education)

- HB 345**, repealing the prohibition on tinted glass in motor vehicles. (Sapareto, Rock 6; Winters, Hills 18: Transportation)
- HB 346**, establishing a committee to study low-profit limited liability companies. (Gagnon, Sull 5; Carson, Dist 14: Commerce and Consumer Affairs)
- HB 347**, authorizing cottage housing development as an innovative land use control. (Shurtleff, Merr 11; Wall, Straf 6: Municipal and County Government)
- HB 348**, relative to determining the period of license revocation for driving under the influence. (Steven Smith, Sull 11: Criminal Justice and Public Safety)
- HB 349**, relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park. (Coulombe, Coos 3; H. Richardson, Coos 4; Theberge, Coos 3; Woodburn, Dist 1: Resources, Recreation and Development)
- HB 350**, prohibiting discrimination against the unemployed. (Copeland, Rock 19: Labor, Industrial and Rehabilitative Services)
- HB 351**, relative to appointment of inspectors of election. (Hoelzel, Rock 3: Election Law)
- HB 352**, relative to sending checklists to the state archives. (Hoelzel, Rock 3; J. Belanger, Hills 27; Carey, Merr 26; DeSimone, Rock 14; Ferrante, Rock 6; Prescott, Dist 23; Pierce, Dist 5; Reagan, Dist 17: Election Law)
- HB 353**, relative to the regulation of private investigators and security guards. (Burrige, Ches 16: Executive Departments and Administration)
- HB 354-FN-A**, reducing the rate of the business enterprise tax over a 5-year period and repealing the tax. (Rideout, Coos 7; H. Richardson, Coos 4; Tucker, Rock 23; Baldasaro, Rock 5: Ways and Means)
- HB 355**, establishing a committee to study the feasibility of cities and towns transferring insurance under the Patient Protection and Affordable Care Act. (Renzullo, Hills 37: Commerce and Consumer Affairs)
- HB 356**, establishing a committee to study the feasibility of the state transferring insurance under the Patient Protection and Affordable Care Act. (Renzullo, Hills 37: Commerce and Consumer Affairs)
- HB 357**, prohibiting an employer from using credit history in employment decisions. (Cushing, Rock 21: Labor, Industrial and Rehabilitative Services)
- HB 358-FN-A**, relative to the children in need of services program and making an appropriation therefor. (Pantelakos, Rock 25; Shurtleff, Merr 11; Charron, Rock 4: Finance)
- HB 359**, relative to mailing of notices and determinations by the department of employment security. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)
- HB 360**, relative to overpayments caused by arbitration awards, back pay awards, settlement agreements, or jury verdicts. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)
- HB 361**, relative to worksharing. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)
- HB 362**, banning corn-based ethanol as an additive to gasoline sold in New Hampshire. (Campbell, Hills 33; Pastor, Graf 12; Gionet, Graf 5; Chandler, Carr 1; Pitre, Straf 2; Cataldo, Dist 6: Science, Technology and Energy)
- HB 363**, establishing a committee to study the form of the oath taken by members of the general court. (Hikel, Hills 6: Legislative Administration)
- HB 364**, requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment. (Copeland, Rock 19; Turcotte, Merr 22; St. James, Rock 13: Executive Departments and Administration)
- HB 365**, relative to membership of village districts in regional planning commissions. (Coffey, Hills 25: Municipal and County Government)
- HB 366-FN**, relative to showing a ballot. (Horrigan, Straf 6: Election Law)
- HB 367**, relative to the municipal bond bank reserve process. (A. White, Graf 13; Kurk, Hills 2; Odell, Dist 8: Commerce and Consumer Affairs)
- HB 368**, relative to the telecommunications planning and development initiative. (Rappaport, Coos 1: Science, Technology and Energy)
- HB 369**, relative to investment of excess funds by the county treasurer. (Shattuck, Hills 1; Vaillancourt, Hills 15: Municipal and County Government)
- HB 370-FN**, repealing the education tax credit program. (Gile, Merr 27; Porter, Hills 1; Frazer, Merr 13; Gorman, Hills 31; Gargas, Hills 27; Vaillancourt, Hills 15; P. Sullivan, Hills 10; Kelly, Dist 10: Ways and Means)
- HB 371**, repealing the statute recognizing cohabitation as a basis for legal marriage. (Bickford, Straf 3: Judiciary)

**HB 372**, relative to state agency telecommunications services. (Cali-Pitts, Rock 30: Executive Departments and Administration)

**HB 373**, establishing a right of discovery to a carrier's investigation of claims in workers' compensation cases. (Goley, Hills 8: Labor, Industrial and Rehabilitative Services)

**HB 374**, relative to electric utility investment in distributed energy resources. (Raymond, Belk 4; Suzanne Smith, Graf 8; DiMartino, Belk 2; Devine, Rock 4; Gulick, Belk 1; Hosmer, Dist 7: Science, Technology and Energy)

**HB 375**, requiring certain health care organizations to report to the department of health and human services regarding implementation of New Hampshire's 10-year mental health plan. (J. MacKay, Merr 14: Health, Human Services and Elderly Affairs)

**HB 376**, relative to the shop licensure requirements for barbers, cosmetologists, manicurists, and estheticians. (C. McGuire, Merr 29; Jones, Straf 24: Executive Departments and Administration)

**HB 377**, relative to archeological investigations on private or public property. (Morrow, Carr 5; McConkey, Carr 3; S. Schmidt, Carr 6; Chandler, Carr 1; Cataldo, Dist 6: Executive Departments and Administration)

**HB 378**, requiring optometrists to warn parents about the progression of myopia when prescribing distance lenses for children. (Parison, Hills 25: Health, Human Services and Elderly Affairs)

**HB 379**, prohibiting an employer from requiring an employee or prospective employee to disclose his or her social media passwords. (P. Sullivan, Hills 10; K. Rogers, Merr 28; Timothy Smith, Hills 17; Soucy, Dist 18: Labor, Industrial and Rehabilitative Services)

**HB 380-FN**, requiring disclosure of gifts and campaign contributions by lobbyists. (P. Sullivan, Hills 10; Timothy Smith, Hills 17: Election Law)

**HB 381**, relative to citizen complaints against a police officer. (Sapareto, Rock 6: Criminal Justice and Public Safety)

**HB 382-FN**, reducing the nonresident fee for obtaining a license for a pistol or a revolver. (Lambert, Hills 44; Hoell, Merr 23: Criminal Justice and Public Safety)

**HB 383**, relative to operation of OHRVs on the traveled portion of public highways, where permitted. (Theberge, Coos 3: Transportation)

**HB 384**, requiring parental consent prior to a mental health examination in public schools. (Itse, Rock 10; Comerford, Rock 33; Sandblade, Hills 18; Jones, Straf 24: Education)

**HB 385**, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. (Hess, Merr 24: Executive Departments and Administration)

**HB 386**, establishing a committee to study streamlining inspections and licensing of businesses. (Lambert, Hills 44: Commerce and Consumer Affairs)

**HB 387**, relative to immunity of guardians ad litem. (Lambert, Hills 44; LeBrun, Hills 32; Oigny, Rock 34: Judiciary)

## RECESS

(Rep. Shurtleff in the Chair)

## RESOLUTION

Rep. Peter Schmidt offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 388 through 462 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Adopted.

## INTRODUCTION OF HOUSE BILLS

### First, second reading and referral

**HB 388**, relative to the storage of firearms. (C. McGuire, Merr 29; LeBrun, Hills 32; Pitre, Straf 2; Sandblade, Hills 18; D. Eaton, Ches 3: Judiciary)

**HB 389**, relative to discovery in misdemeanor and violation cases. (J. Belanger, Hills 27; Baldasaro, Rock 5; Peterson, Hills 21; LeBrun, Hills 32; Lambert, Hills 44; J. Webb, Rock 6: Criminal Justice and Public Safety)

**HB 390**, allowing companion dogs in the outdoor areas of restaurants. (Keith Murphy, Hills 7; Fuller Clark, Dist 21: Commerce and Consumer Affairs)



**HB 391-FN**, relative to highway noise and establishing a commission to study options for mitigation of damages associated with highway noise. (Keith Murphy, Hills 7: Transportation)

**HB 392-FN**, relative to political contributions and expenditures and relative to reporting by political committees. (Perry, Straf 3; Berch, Ches 1; Weed, Ches 16; Phillips, Ches 5; Kidder, Merr 5; Hoelzel, Rock 3; M. Mann, Rock 32; Levesque, Hills 26; Butler, Carr 7; Fuller Clark, Dist 21; Pierce, Dist 5: Election Law)

**HB 393**, relative to effluent limitations with regard to nitrogen and phosphorus. (Schroadter, Rock 17; Suzanne Smith, Graf 8; Stiles, Dist 24: Resources, Recreation and Development)

**HB 394-FN**, relative to transfer of funds by the liquor commission. (D. McGuire, Merr 21: Finance)

**HB 395-FN**, relative to the prohibition on the use of state funds to hire lobbyists. (L. Ober, Hills 37; Sad, Ches 1; C. McGuire, Merr 29; Lambert, Hills 44: Executive Departments and Administration)

**HB 396**, establishing a committee to study requiring safety training or instruction prior to the purchase or acquisition of a firearm. (C. Sweeney, Sull 8; P. Sullivan, Hills 10; Arsenault, Belk 9; Pierce, Dist 5: Criminal Justice and Public Safety)

**HB 397**, relative to state aid for wastewater and public water supply projects. (Bucu, Carr 2; Butler, Carr 7; S. White, Carr 2; Umberger, Carr 2: Resources, Recreation and Development)

**HB 398-FN**, relative to leave time for certain state employees. (C. McGuire, Merr 29; L. Ober, Hills 37; Ulery, Hills 37; Sad, Ches 1; D. McGuire, Merr 21; Jasper, Hills 37; Jones, Straf 24: Executive Departments and Administration)

**HB 399-FN**, establishing the New Hampshire liberty act. (Itse, Rock 10; Hoell, Merr 23: State-Federal Relations and Veterans Affairs)

**HB 400**, relative to funding agreements issued by life insurance companies. (Butler, Carr 7; John Hunt, Ches 11; Flanders, Belk 3: Commerce and Consumer Affairs)

**HB 401**, relative to property and casualty insurers under the risk-based capital law. (Schlachman, Rock 18; Butler, Carr 7; John Hunt, Ches 11; Flanders, Belk 3: Commerce and Consumer Affairs)

**HB 402**, relative to complaint investigation procedures of the guardian ad litem board. (Kappler, Rock 3; Oligny, Rock 34; Itse, Rock 10; Lambert, Hills 44: Children and Family Law)

**HB 403**, establishing a commission to study death with dignity for persons suffering from a terminal condition. (Weed, Ches 16; Watrous, Merr 16; Winters, Hills 18; Berch, Ches 1; Warden, Hills 39; O'Flaherty, Hills 12: Judiciary)

**HB 404-FN**, relative to earned time credits for inmates participating in rehabilitative programming. (Vaillancourt, Hills 15; Chase, Ches 8; Frazer, Merr 13; J. Tilton, Merr 3; Emerson, Ches 11; Ginsburg, Straf 6: Criminal Justice and Public Safety)

**HB 405**, establishing a committee to study issues related to children and families. (C. McGuire, Merr 29; Jones, Straf 24: Children and Family Law)

**HB 406**, relative to the availability of contribution information in lobbyist statements on the Internet. (P. Sullivan, Hills 10: Election Law)

**HB 407**, relative to the penalty for making a false statement in a criminal complaint. (Itse, Rock 10: Criminal Justice and Public Safety)

**HB 408**, establishing approved titles for articles of the New Hampshire Constitution. (Itse, Rock 10: Judiciary)

**HB 409**, relative to the issuance of a default judgment in landlord-tenant actions. (Winters, Hills 18; Long, Hills 42; Warden, Hills 39: Judiciary)

**HB 410**, relative to the definition of gift received by an elected official, public official, public employee, or legislative employee. (Spang, Straf 6; Moody, Rock 17; Perry, Straf 3; A. White, Graf 13: Legislative Administration)

**HB 411-FN-A**, repealing a future reduction in vessel registration fees. (Huot, Belk 3; Burt, Hills 6: Transportation)

**HB 412-FN**, relative to absentee voter applicant information. (Cordelli, Carr 4; Reilly, Graf 9: Election Law)

**HB 413**, making relinquishment or abandonment of leased premises a defense for landlords. (Warden, Hills 39: Judiciary)

**HB 414**, relative to privacy in the workplace. (K. Rogers, Merr 28; P. Sullivan, Hills 10; Soucy, Dist 18: Labor, Industrial and Rehabilitative Services)

**HB 415**, relative to ethics requirements for members of the general court. (Gionet, Graf 5; Ulery, Hills 37: Legislative Administration)

- HB 416**, shortening the appeals process for a permitting decision under RSA 482-A, relative to fill and dredge in wetlands. (Ahlgren, Carr 6: Resources, Recreation and Development)
- HB 417**, establishing a commission to study creating a New Hampshire plan for Alzheimer's disease. (Long, Hills 42: Health, Human Services and Elderly Affairs)
- HB 418**, establishing a committee to study a program to address children in need. (Walz, Merr 23; Gile, Merr 27; Spratt, Hills 4; L. Webb, Merr 3; Gale, Hills 28; Berch, Ches 1; Phillips, Ches 5; Fuller Clark, Dist 21: Children and Family Law)
- HB 419-FN**, establishing a deferred retirement option in the judicial retirement plan. (Hikel, Hills 6: Executive Departments and Administration)
- HB 420**, establishing orange, red, and yellow as the state colors. (McConkey, Carr 3: Executive Departments and Administration)
- HB 421**, relative to regulation of real estate brokerage and sales by the real estate commission. (D. Eaton, Ches 3: Executive Departments and Administration)
- HB 422**, relative to the adoption, revision, and amendment of municipal charters. (F. Rice, Rock 21; Emerick, Rock 21; Cushing, Rock 21; Muns, Rock 21; Stiles, Dist 24: Municipal and County Government)
- HB 423-L**, relative to amending official ballot warrant articles. (F. Rice, Rock 21; Emerick, Rock 21; Itse, Rock 10; Hoell, Merr 23; Lambert, Hills 44; Stiles, Dist 24: Municipal and County Government)
- HB 424-FN**, relative to review of chartered public school applications by the state board of education. (Boehm, Hills 20; Pitre, Straf 2; Ladd, Graf 4: Education)
- HB 425**, relative to bridge aid and highway block grants for class V roads in certain village districts. (Coffey, Hills 25; Parison, Hills 25; Bickford, Straf 3: Public Works and Highways)
- HB 426**, relative to payment of costs and fees in guardianship cases. (Weber, Ches 1; Wall, Straf 6: Judiciary)
- HB 427**, relative to tobacco tax laws. (Almy, Graf 13: Ways and Means)
- HB 428**, relative to funds for dam maintenance, removal and improvement. (Suzanne Smith, Graf 8; Ebel, Merr 5; Brown, Graf 2: Resources, Recreation and Development)
- HB 429**, relative to service of writs against cities. (K. Rogers, Merr 28: Municipal and County Government)
- HB 430**, requiring insurance companies sending out solicitations for marketing purposes to include their insurance license number on such solicitations. (Chirichiello, Rock 6; D. Thompson, Rock 6; J. Webb, Rock 6: Commerce and Consumer Affairs)
- HB 431-FN**, relative to witness tampering. (Pantelakos, Rock 25; Shurtleff, Merr 11; Charron, Rock 4: Criminal Justice and Public Safety)
- HB 432-FN**, relative to health care costs for county and state inmates. (Pantelakos, Rock 25; Shurtleff, Merr 11; Charron, Rock 4: Health, Human Services and Elderly Affairs)
- HB 433**, relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program. (Pitre, Straf 2: Children and Family Law)
- HB 434-FN-A**, relative to renaming the business enterprise tax, capping the amount an employer is liable to pay under such tax, and annually reducing the rate of the tax. (Hoell, Merr 23; Itse, Rock 10: Ways and Means)
- HB 435-FN**, relative to funding for chartered public school pupils. (Weyler, Rock 13; Roberts, Ches 4; Sedensky, Rock 13; Reagan, Dist 17: Education)
- HB 436**, relative to governance of town libraries. (Weyler, Rock 13; Major, Rock 14; DeSimone, Rock 14: Municipal and County Government)
- HB 437-FN-A**, relative to the road toll. (Weyler, Rock 13: Public Works and Highways)
- HB 438**, relative to the appraisal of residences in an industrial or commercial zone. (Weyler, Rock 13; Sedensky, Rock 13: Municipal and County Government)
- HB 439-FN**, relative to weekly workers' compensation payments. (H. Richardson, Coos 4: Labor, Industrial and Rehabilitative Services)
- HB 440**, relative to new hire reports to the department of employment security. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)
- HB 441**, making a capital appropriation for the construction of a monument commemorating the 400<sup>th</sup> anniversary of the discovery of the Isles of Shoals by John Smith. (Campbell, Hills 33; Cushing, Rock 21; Pantelakos, Rock 25; Borden, Rock 24; Sherman, Rock 24; Gagnon, Sull 5; Emerick, Rock 21; Fuller Clark, Dist 21; Stiles, Dist 24; Watters, Dist 4: Public Works and Highways)

**HB 442**, prohibiting residency restrictions for registered sex offenders and offenders against children. (Robertson, Ches 6: Criminal Justice and Public Safety)

**HB 443-FN**, prohibiting prison privatization. (Robertson, Ches 6; Winters, Hills 18; Berch, Ches 1; Phillips, Ches 5; Gale, Hills 28; Chase, Ches 8; J. Tilton, Merr 3; Till, Rock 6; Emerson, Ches 11; Harding, Graf 13; Patten, Merr 17; Ley, Ches 9: Criminal Justice and Public Safety)

**HB 444**, establishing a committee to study the use of autonomous vehicles in New Hampshire. (Hikel, Hills 6: Transportation)

**HB 445-FN-L**, allowing public employers in the state to buy into the state health insurance plan. (Hammond, Hills 24; Gale, Hills 28; Spratt, Hills 4; Porter, Hills 1; Jane Hunt, Merr 15; Gilmour, Dist 12: Executive Departments and Administration)

**HB 446**, relative to the amount of the optional property tax credit for service-connected total disability. (Schroadter, Rock 17: Municipal and County Government)

**HB 447**, relative to annulment of criminal records. (Hikel, Hills 6: Criminal Justice and Public Safety)

**HB 448**, making changes to state representative districts. (P. Schmidt, Straf 19; Vaillancourt, Hills 15: Election Law)

**HB 449**, relative to the application process for a certificate for an energy facility. (Ladd, Graf 4; Rappaport, Coos 1; Lauer, Graf 15: Science, Technology and Energy)

**HB 450-FN**, relative to the annulment of criminal records. (Winters, Hills 18: Criminal Justice and Public Safety)

**HB 451-FN**, repealing the license requirement for carrying a concealed pistol or revolver. (Hoell, Merr 23; Itse, Rock 10: Criminal Justice and Public Safety)

**HB 452**, relative to Food and Drug Administration approval of medication, equipment, and therapies. (Hoell, Merr 23: Health, Human Services and Elderly Affairs)

**HB 453**, repealing the prospective repeal of the information and analysis center. (Kurk, Hills 2: Criminal Justice and Public Safety)

**HB 454**, requiring consent prior to the installation of smart meters. (Kurk, Hills 2: Science, Technology and Energy)

**HB 455**, establishing a committee to study the use of a cash balance retirement plan for new state employees. (Kurk, Hills 2: Executive Departments and Administration)

**HB 456-FN**, relative to liquor manufacturers. (Peckham, Rock 22; Schroadter, Rock 17: Commerce and Consumer Affairs)

**HB 457**, establishing a committee to study eliminating and combining liquor licenses. (Ulery, Hills 37: Commerce and Consumer Affairs)

**HB 458**, relative to resisting arrest. (Lambert, Hills 44; Hoell, Merr 23: Criminal Justice and Public Safety)

**HB 459**, relative to poker games and charitable gaming. (Lambert, Hills 44: Ways and Means)

**HB 460-L**, relative to amending the default budget in towns that use official ballot voting. (Lambert, Hills 44; Hoell, Merr 23: Municipal and County Government)

**HB 461-FN**, relative to long-term care services. (Donovan, Sull 4: Health, Human Services and Elderly Affairs)

**HB 462-FN**, relative to an independent review process under the medical assistance program. (Donovan, Sull 4; DiMartino, Belk 2: Health, Human Services and Elderly Affairs)

## RECESS

(Rep. Shurtleff in the Chair)

## RESOLUTION

Rep. Cooney offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 463 through 523 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

## INTRODUCTION OF HOUSE BILLS

### First, second reading and referral

**HB 463-FN**, requiring property managers to be certified. (LeBrun, Hills 32; Kappler, Rock 3: Executive Departments and Administration)

- HB 464**, establishing a procedure for removal of condominium board members. (LeBrun, Hills 32: Commerce and Consumer Affairs)
- HB 465**, repealing New Hampshire's atomic energy policy. (Backus, Hills 19; Cushing, Rock 21; French, Merr 6: Science, Technology and Energy)
- HB 466-FN**, relative to determining qualifications of voters. (Long, Hills 42: Election Law)
- HB 467**, relative to purchasing alliances. (D. McGuire, Merr 21: Commerce and Consumer Affairs)
- HB 468**, establishing a committee to study wine purchasing and pricing. (D. McGuire, Merr 21: Commerce and Consumer Affairs)
- HB 469**, relative to time limits for regulatory boards and commissions to hold disciplinary proceedings. (C. McGuire, Merr 29: Executive Departments and Administration)
- HB 470**, establishing a task force to determine the effects of the recession on child and family programs. (Donovan, Sull 4; Porter, Hills 1; J. Schmidt, Hills 28; Gale, Hills 28; Fuller Clark, Dist 21: Children and Family Law)
- HB 471**, establishing a commission to study dual enrollment programs. (Roberts, Ches 4: Education)
- HB 472**, relative to residential units in rooming houses. (Long, Hills 42: Commerce and Consumer Affairs)
- HB 473-FN**, relative to retirement system status for members of the university system police force. (D. Sullivan, Hills 42; H. Richardson, Coos 4; Horrigan, Straf 6; R. Walsh, Hills 11; Sapareto, Rock 6; Woodburn, Dist 1; D'Allesandro, Dist 20; Hosmer, Dist 7: Executive Departments and Administration)
- HB 474**, relative to eligibility for in-state tuition rates at the university system of New Hampshire. (P. Schmidt, Straf 19: Education)
- HB 475**, relative to the timing of the release of patients from New Hampshire hospital. (Sandblade, Hills 18; Lambert, Hills 44; C. McGuire, Merr 29; Jones, Straf 24; J. Tilton, Merr 3; Reagan, Dist 17: Health, Human Services and Elderly Affairs)
- HB 476**, relative to medical care price disclosure and transparency. (Marilinda Garcia, Rock 8; Lambert, Hills 44; Ulery, Hills 37; Kappler, Rock 3: Health, Human Services and Elderly Affairs)
- HB 477-FN**, relative to differential pay for certain state employees providing direct care to inmates and patients. (Cushing, Rock 21; Turcotte, Merr 22; Gale, Hills 28; Jane Hunt, Merr 15; Gilmour, Dist 12: Labor, Industrial and Rehabilitative Services)
- HB 478-FN**, requiring the department of health and human services to license supervised visitation centers. (Oligny, Rock 34: Executive Departments and Administration)
- HB 479-FN-L**, relative to the creation and division of school districts. (Hoell, Merr 23: Education)
- HB 480-FN**, relative to solitary confinement. (Robertson, Ches 6; G. Johnsen, Ches 7; Christiansen, Hills 37; Patten, Merr 17; Itse, Rock 10: Criminal Justice and Public Safety)
- HB 481-FN**, limiting the state's authority to seek reimbursement for public assistance. (Hackel, Hills 29: Health, Human Services and Elderly Affairs)
- HB 482-FN**, regarding infestation of bed bugs in rental housing. (Long, Hills 42: Judiciary)
- HB 483-FN**, relative to information regarding abortion. (Cormier, Belk 8; Peterson, Hills 21: Judiciary)
- HB 484-FN-L**, requiring public approval prior to issuance of certain site evaluation certificates. (Kurk, Hills 2; Rappaport, Coos 1; Forrester, Dist 2: Science, Technology and Energy)
- HB 485-FN-A**, establishing keno. (Keith Murphy, Hills 7; Kelleigh Murphy, Hills 7; Infantine, Hills 13: Ways and Means)
- HB 486-FN-A**, making an appropriation for the purpose of paying residential care providers at the Chase Home for Children. (Nordgren, Graf 12; Charron, Rock 4; Devine, Rock 4; Hagan, Rock 4; Gile, Merr 27; J. MacKay, Merr 14; Rosenwald, Hills 30; Gargas, Hills 27; DeSimone, Rock 14; Almy, Graf 13; Odell, Dist 8; Woodburn, Dist 1; Fuller Clark, Dist 21; Reagan, Dist 17: Finance)
- HB 487-FN**, relative to refunds for tobacco tax stamps. (Almy, Graf 13: Ways and Means)
- HB 488-FN**, changing the definition of "cigarette" under the tobacco tax to match the definition of "cigarette" under the Master Settlement Agreement. (Almy, Graf 13: Ways and Means)
- HB 489-FN**, relative to the New Hampshire medical malpractice joint underwriting association. (John Hunt, Ches 11; Butler, Carr 7: Commerce and Consumer Affairs)
- HB 490-FN-A**, relative to the tax on tobacco products other than cigarettes and establishing a tobacco use prevention and cessation program fund. (Butynski, Ches 1; J. Tilton, Merr 3; J. MacKay, Merr 14; Levesque, Hills 26: Ways and Means)
- HB 491-FN**, relative to New Hampshire farm wineries. (Sad, Ches 1: Environment and Agriculture)

**HB 492-FN-L**, relative to the legalization and regulation of marijuana. (Vaillancourt, Hills 15; Warden, Hills 39; Winters, Hills 18; Lambert, Hills 44; Robertson, Ches 6: Criminal Justice and Public Safety)

**HB 493-FN**, relative to emergency compacts. (Peterson, Hills 21; Notter, Hills 21: State-Federal Relations and Veterans Affairs)

**HB 494**, relative to the administration of glucagon injections for pupils. (Parison, Hills 25; Coffey, Hills 25; Leishman, Hills 24; Gilmour, Dist 12: Health, Human Services and Elderly Affairs)

**HB 495-FN**, relative to titles for motor vehicles. (Cooney, Graf 8; Hatch, Coos 6; Hosmer, Dist 7: Transportation)

**HB 496-FN**, relative to driving privileges for certain first-time DWI offenders. (Shurtleff, Merr 11: Criminal Justice and Public Safety)

**HB 497**, relative to negligent treatment of animals. (Cebrowski, Hills 7; Graham, Hills 7; Villeneuve, Hills 7; Keith Murphy, Hills 7; Danielson, Hills 7: Environment and Agriculture)

**HB 498**, permitting the use of firearms by military or veterans groups in the compact part of a town for military or veterans events, or national holidays. (J. Belanger, Hills 27; Baldasaro, Rock 5; Sapareto, Rock 6; Kappler, Rock 3; Itse, Rock 10; Hansen, Hills 22; LeBrun, Hills 32; Gargas, Hills 27; Tucker, Rock 23: Criminal Justice and Public Safety)

**HB 499**, establishing a commission to study funding mechanisms for increasing the number of mental health beds statewide. (Gidge, Hills 33: Health, Human Services and Elderly Affairs)

**HB 500**, requiring the department of safety to maintain a division of motor vehicles driver licensing and registration office in Belknap county. (Luther, Belk 3; F. Tilton, Belk 3; Greemore, Belk 2; Flanders, Belk 3: Transportation)

**HB 501-FN**, relative to the minimum wage. (Horriggan, Straf 6; Weed, Ches 16; K. Ward, Straf 21; P. Sullivan, Hills 10; Berch, Ches 1; Phillips, Ches 5: Labor, Industrial and Rehabilitative Services)

**HB 502**, relative to protection of persons from domestic violence. (Itse, Rock 10; Comerford, Rock 33; Ulery, Hills 37; Weyler, Rock 13: Criminal Justice and Public Safety)

**HB 503**, relative to arrests for domestic violence. (Itse, Rock 10; Comerford, Rock 33; Tucker, Rock 23; Baldasaro, Rock 5; Kappler, Rock 3; Lambert, Hills 44; Jones, Straf 24; Oigny, Rock 34; Cataldo, Dist 6: Criminal Justice and Public Safety)

**HB 504**, relative to official oppression. (Itse, Rock 10; Comerford, Rock 33: Criminal Justice and Public Safety)

**HB 505**, relative to the economic development advisory council. (Cebrowski, Hills 7: Commerce and Consumer Affairs)

**HB 506**, relative to certain time periods for adoption and amendment of town codes and ordinances. (Daniels, Hills 40: Municipal and County Government)

**HB 507-FN**, relative to the maximum permit application fee for certain municipal dredging projects. (Daniels, Hills 40; S. Sweeney, Hills 23; Bragdon, Dist 11: Resources, Recreation and Development)

**HB 508**, relative to idling by diesel locomotives. (Major, Rock 14; DeSimone, Rock 14; Friel, Rock 14: Science, Technology and Energy)

**HB 509**, requiring the department of administrative services to provide the New Hampshire Department of American Legion with office space. (Graham, Hills 7; Shurtleff, Merr 11; Baldasaro, Rock 5; Theberge, Coos 3; Carson, Dist 14; Rausch, Dist 19: Public Works and Highways)

**HB 510**, relative to backflow prevention valves. (Emerick, Rock 21; F. Rice, Rock 21; Stiles, Dist 24: Resources, Recreation and Development)

**HB 511-FN**, relative to insurance holding companies. (Schlachman, Rock 18; John Hunt, Ches 11: Commerce and Consumer Affairs)

**HB 512**, relative to the power of a peace officer to make an arrest without a warrant. (Itse, Rock 10: Criminal Justice and Public Safety)

**HB 513**, relative to the shoreland protection act. (Spang, Straf 6; Lovett, Graf 8; Beaulieu, Hills 45; Renzullo, Hills 37; Borden, Rock 24; Bradley, Dist 3; Fuller Clark, Dist 21; Odell, Dist 8: Resources, Recreation and Development)

**HB 514**, permitting members of the general court to receive ski passes for Cannon Mountain ski area. (Coulombe, Coos 3; A. Schmidt, Sull 1; H. Richardson, Coos 4: Legislative Administration)

**HB 515**, relative to requirements for whitewater guides. (Coulombe, Coos 3; Robertson, Ches 6; Theberge, Coos 3: Resources, Recreation and Development)

**HB 516**, establishing a committee to study the overlap of federal, state, and local regulation relative to environmental issues. (Cebrowski, Hills 7; Danielson, Hills 7: Resources, Recreation and Development)

**HB 517**, relative to the incidental combustion of untreated wood at certain municipal transfer stations. (Chandler, Carr 1; Butler, Carr 7; Campbell, Hills 33; Leishman, Hills 24; Bradley, Dist 3; Forrester, Dist 2: Science, Technology and Energy)

**HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit. (Baldasaro, Rock 5; Tamburello, Rock 5; Graham, Hills 7; Shurtleff, Merr 11; Weyler, Rock 13; Griffin, Rock 7; R. Ober, Hills 37; W. O'Brien, Hills 5; Carson, Dist 14: State-Federal Relations and Veterans Affairs)

**HB 519**, requiring the division of higher education to develop a policy on academic credit for a student's military occupation, military training, coursework, and experience. (Baldasaro, Rock 5; Griffin, Rock 7; Kappler, Rock 3; L. Ober, Hills 37; R. Ober, Hills 37; LeBrun, Hills 32; Theberge, Coos 3; Tucker, Rock 23; W. O'Brien, Hills 5: Education)

**HB 520**, establishing a committee to study implementing Keno in New Hampshire. (Baldasaro, Rock 5; Weyler, Rock 13; R. Ober, Hills 37; Griffin, Rock 7; Theberge, Coos 3; Renzullo, Hills 37: Ways and Means)

**HB 521**, establishing a committee to study New Hampshire election laws and procedures. (Hoelzel, Rock 3; J. Belanger, Hills 27; Carey, Merr 26; DeSimone, Rock 14; Ferrante, Rock 6; Reagan, Dist 17: Election Law)

**HB 522**, relative to duties of town treasurers. (M. Mann, Rock 32; Schlachman, Rock 18; Danais, Rock 2; Tasker, Rock 2; Raymond, Belk 4; Boutin, Dist 16; Reagan, Dist 17: Municipal and County Government)

**HB 523-FN**, relative to voluntary certification for road salt applicators. (O'Connor, Rock 6; Ferrante, Rock 6; J. Webb, Rock 6; Chandler, Carr 1; Elliott, Rock 8; Morse, Dist 22; Carson, Dist 14; Rausch, Dist 19: Resources, Recreation and Development)

## RECESS

(Rep. Jasper in the Chair)

## RESOLUTION

Rep. Beaulieu offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 524 through 591, House Resolutions numbered 6 and 7, House Joint Resolution numbered 1 and Constitutional Amendment Concurrent Resolutions numbered 6 and 7 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.  
Adopted.

## INTRODUCTION OF HOUSE BILLS, HRS, HJR AND CACRS

### First, second reading and referral

**HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit. (Major, Rock 14; Graham, Hills 7; Baldasaro, Rock 5; Weyler, Rock 13; Theberge, Coos 3; Kappler, Rock 3: State-Federal Relations and Veterans Affairs)

**HB 525-FN**, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age. (Bickford, Straf 3: Children and Family Law)

**HB 526-FN**, relative to a reinsurance mechanism for the individual health insurance market. (Butler, Carr 7: Commerce and Consumer Affairs)

**HB 527**, repealing the exotic aquatic weeds and species committee. (Kappler, Rock 3; Itse, Rock 10; Hansen, Hills 22; Baldasaro, Rock 5; Pitre, Straf 2; Weyler, Rock 13; Reagan, Dist 17: Resources, Recreation and Development)

**HB 528**, relative to support and care costs for children with disabilities. (Parison, Hills 25; Coffey, Hills 25; Leishman, Hills 24; Gilmour, Dist 12: Health, Human Services and Elderly Affairs)

**HB 529**, relative to the regulation of health clubs. (C. McGuire, Merr 29; Jones, Straf 24; Sandblade, Hills 18: Commerce and Consumer Affairs)

**HB 530-FN**, relative to annual reporting requirements for business entities. (D. McGuire, Merr 21: Commerce and Consumer Affairs)

**HB 531**, allowing towns and cities to exempt farm buildings and structures from property taxation. (Pastor, Graf 12: Municipal and County Government)

**HB 532**, relative to energy efficiency and clean energy districts. (Pastor, Graf 12; Rappaport, Coos 1; J. Mann, Ches 2; Fuller Clark, Dist 21; Odell, Dist 8: Municipal and County Government)

**HB 533**, relative to the mathematics requirement for high school graduation. (Ladd, Graf 4: Education)  
**HB 534**, establishing a commission to study the sale of naming rights for certain structures. (D. McGuire, Merr 21; Chandler, Carr 1; Umberger, Carr 2; Emerick, Rock 21: Public Works and Highways)

**HB 535**, establishing the white potato as the state vegetable. (O'Connor, Rock 6; J. Webb, Rock 6; Ferrante, Rock 6; Sapareto, Rock 6; D. Thompson, Rock 6; Till, Rock 6; Fesh, Rock 6; Chirichiello, Rock 6; Milz, Rock 6; Rausch, Dist 19: Environment and Agriculture)

**HB 536**, revising the child support guidelines based on foster care reimbursement rates. (Oligny, Rock 34; Bickford, Straf 3; G. Hopper, Hills 2; Burt, Hills 6; Lambert, Hills 44; Sapareto, Rock 6; Itse, Rock 10: Children and Family Law)

**HB 537**, establishing a commission to study the feasibility of developing an industrial cooperative program for science, technology, engineering, and manufacturing programs at the university of New Hampshire. (Murotake, Hills 32; J. Kelley, Hills 32; Abrami, Rock 19: Education)

**HB 538**, relative to the calculation of child support based on residential responsibility. (Oligny, Rock 34; Burt, Hills 6; Lambert, Hills 44; Sapareto, Rock 6; Itse, Rock 10: Children and Family Law)

**HB 539**, relative to enforcement of child support orders. (Oligny, Rock 34; P. Schmidt, Straf 19; Burt, Hills 6; Sapareto, Rock 6; Itse, Rock 10; Lambert, Hills 44: Children and Family Law)

**HB 540-FN-A**, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire. (Goley, Hills 8: Ways and Means)

**HB 541**, relative to city charters. (Berube, Straf 18: Municipal and County Government)

**HB 542**, relative to electric renewable portfolio standards. (Kaen, Straf 5; Watrous, Merr 16; Pastor, Graf 12: Science, Technology and Energy)

**HB 543**, relative to ascertaining damages to abutting landowners. (Aguiar, Graf 7; Renzullo, Hills 37; Ford, Graf 3; Bradley, Graf 6; Lauer, Graf 15: Judiciary)

**HB 544**, repealing the prohibition on a state-based health exchange. (Butler, Carr 7: Commerce and Consumer Affairs)

**HB 545**, relative to rafting of boats. (Burt, Hills 6; Warden, Hills 39; Comtois, Belk 7; Meaney, Hills 6; Huot, Belk 3; Sylvia, Belk 6; Boutin, Dist 16: Resources, Recreation and Development)

**HB 546**, relative to medical examinations under workers' compensation. (Goley, Hills 8; Wall, Straf 6; Copeland, Rock 19; H. Richardson, Coos 4; Lasky, Dist 13; Soucy, Dist 18: Labor, Industrial and Rehabilitative Services)

**HB 547**, establishing a commission to study permanent options for funding the veterinary diagnostic laboratory. (Haefner, Hills 37; Sad, Ches 1: Environment and Agriculture)

**HB 548**, relative to ethics requirements and procedures for legislators and legislative employees. (Jasper, Hills 37; Wall, Straf 6; Burt, Hills 6: Legislative Administration)

**HB 549**, establishing a committee to study a constitutional amendment to prevent dedicated funding for a specific purpose from being diverted from that purpose. (Bixby, Straf 17; Spang, Straf 6; Sad, Ches 1; Perry, Straf 3; Fuller Clark, Dist 21: Ways and Means)

**HB 550**, relative to the disposition of state-owned real estate. (Graham, Hills 7; Campbell, Hills 33; Chandler, Carr 1; Cloutier, Sull 10; LeBrun, Hills 32; Rausch, Dist 19: Public Works and Highways)

**HB 551**, establishing a commission to study the establishment of a paid family leave insurance program, contingent on the availability of federal funds to be administered through the department of employment security and supported by a payroll deduction or other revenue source. (Gile, Merr 27; Hammond, Hills 24; Gilmour, Dist 12; Fuller Clark, Dist 21: Children and Family Law)

**HB 552**, relative to child support expenditures. (Johnson, Ches 12; Schlachman, Rock 18; Oligny, Rock 34; Hopper, Hills 2; P. Schmidt, Straf 19; Reagan, Dist 17: Children and Family Law)

**HB 553**, establishing New Hampshire anti-bullying day. (Schlachman, Rock 18; Flockhart, Rock 18; Gargas, Hills 27; Ford, Graf 3; Ladd, Graf 4; DeSimone, Rock 14; Stiles, Dist 24; Reagan, Dist 17; Kelly, Dist 10; Carson, Dist 14: Education)

**HB 554**, allowing parents to agree on college contributions. (Gargas, Hills 27; Gile, Merr 27; Ford, Graf 3; Ladd, Graf 4; Stiles, Dist 24; Lasky, Dist 13: Children and Family Law)

**HB 555**, relative to the content of fiscal notes for bills. (Leishman, Hills 24; L. Ober, Hills 37; Buco, Carr 2; Kurk, Hills 2: Legislative Administration)

**HB 556**, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire. (J. MacKay, Merr 14; Harding, Graf 13; Rosenwald, Hills 30; McMahon, Rock 7; J. Tilton, Merr 3; Butynski, Ches 1; Pierce, Dist 5; Lasky, Dist 13; Carson, Dist 14; Reagan, Dist 17: Health, Human Services and Elderly Affairs)

**HB 557**, establishing a committee to study the financial assistance program for needy families (FANF) and state supplemental programs (SSP) for the needy blind, permanently and totally disabled, and old age assistance. (J. MacKay, Merr 14; Donovan, Sull 4; Emerson, Ches 11: Health, Human Services and Elderly Affairs)

**HB 558**, relative to disclosure of information regarding charitable solicitations. (Kurk, Hills 2: Executive Departments and Administration)

**HB 559**, relative to the general banking laws of the state. (Butler, Carr 7: Commerce and Consumer Affairs)

**HB 560**, repealing the board of trust company incorporation. (Butler, Carr 7: Commerce and Consumer Affairs)

**HB 561-FN**, abolishing the department of cultural resources. (Vaillancourt, Hills 15; Warden, Hills 39: Executive Departments and Administration)

**HB 562**, relative to the interest rate on title loans. (Butler, Carr 7; Davis, Merr 20; Kurk, Hills 2; Souza, Hills 43; Pierce, Dist 5: Commerce and Consumer Affairs)

**HB 563-FN-L**, relative to tuition and transportation payments for students attending a vocational education program. (Christiansen, Hills 37: Education)

**HB 564-FN**, relative to simulcast greyhound races. (Vaillancourt, Hills 15; Cooney, Graf 8; P. Schmidt, Straf 19; Dumaine, Rock 4; Reagan, Dist 17: Ways and Means)

**HB 565**, relative to actions under the consumer protection law. (Schlachman, Rock 18; Copeland, Rock 19; Heffron, Rock 18: Commerce and Consumer Affairs)

**HB 566**, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas. (Schlachman, Rock 18; Schuett, Merr 20; Copeland, Rock 19; Lovejoy, Rock 36; Davis, Merr 20; Prescott, Dist 23: Commerce and Consumer Affairs)

**HB 567**, relative to identification of publicly owned vehicles. (Theberge, Coos 3; Kurk, Hills 2: Transportation)

**HB 568**, requiring new elective transmission lines in New Hampshire to be buried. (Rappaport, Coos 1; Ladd, Graf 4; Theberge, Coos 3; Pastor, Graf 12; Lovett, Graf 8; Enman, Coos 1; Suzanne Smith, Graf 8; Reilly, Graf 9: Science, Technology and Energy)

**HB 569**, relative to the placement of all new electric transmission lines in New Hampshire. (Rappaport, Coos 1; Ladd, Graf 4; Theberge, Coos 3; Pastor, Graf 12; Lovett, Graf 8; Enman, Coos 1; Suzanne Smith, Graf 8; Reilly, Graf 9; Woodburn, Dist 1: Science, Technology and Energy)

**HB 570-FN**, relative to school building aid grant eligibility for the White Mountain Regional school district. (H. Richardson, Coos 4; Major, Rock 14; Rideout, Coos 7; Theberge, Coos 3; Rappaport, Coos 1; Chandler, Carr 1; Woodburn, Dist 1: Education)

**HB 571**, establishing a task force to study and make recommendations on the judicial branch family court division. (Schlachman, Rock 18; Lambert, Hills 44; Lovejoy, Rock 36; DeSimone, Rock 14; Benn, Graf 12; Emerson, Ches 11; Itse, Rock 10; Stiles, Dist 24; Pierce, Dist 5: Children and Family Law)

**HB 572**, establishing a commission to study public-private partnerships for the treatment of abused and neglected children. (Schlachman, Rock 18; Gile, Merr 27; Flockhart, Rock 18; DeSimone, Rock 14; Gargas, Hills 27; Grassie, Straf 11; J. Johnson, Ches 12; Stiles, Dist 24; Fuller Clark, Dist 21: Children and Family Law)

**HB 573-FN**, relative to the use of marijuana for medicinal purposes. (Schlachman, Rock 18; Vaillancourt, Hills 15; Robertson, Ches 6; Wright, Carr 8; Renzullo, Hills 37; LeBrun, Hills 32; DeSimone, Rock 14; Kidder, Merr 5; Gale, Hills 28; Lovejoy, Rock 36; Woodburn, Dist 1; Reagan, Dist 17; Fuller Clark, Dist 21; Cataldo, Dist 6: Health, Human Services and Elderly Affairs)

**HB 574**, increasing the size limitations for OHRVs operating on state-owned trails. (Theberge, Coos 3; Thomas, Coos 3; H. Richardson, Coos 4; Carson, Dist 14: Resources, Recreation and Development)

**HB 575**, relative to hours of sales of on-premises liquor licensees. (Warden, Hills 39; Jones, Straf 24; Sandblade, Hills 18: Commerce and Consumer Affairs)

**HB 576**, establishing Franklin Pierce Day. (Patten, Merr 17; Lauer, Graf 15: Executive Departments and Administration)

**HB 577-FN**, relative to responsibility for hazardous materials accidents. (A. White, Graf 13; Goley, Hills 8; Borden, Rock 24; Sherman, Rock 24: Judiciary)

**HB 578**, relative to the determination of parental rights based on the best interest of the child. (Oligny, Rock 34; Burt, Hills 6; Lambert, Hills 44; Sapareto, Rock 6; Itse, Rock 10: Children and Family Law)



**HB 579**, establishing an independent legislative redistricting commission. (P. Sullivan, Hills 10; Horrigan, Straf 6; Knowles, Hills 37; Berch, Ches 1; Phillips, Ches 5: Election Law)

**HB 580**, establishing moratoriums on wind turbine plants and electric transmission line projects. (Reilly, Graf 9; Chandler, Carr 1; Tucker, Rock 23; Baldasaro, Rock 5; Ladd, Graf 4; Rappaport, Coos 1; Cordelli, Carr 4; Forrester, Dist 2: Science, Technology and Energy)

**HB 581-FN-L**, relative to recovering moneys from a neighboring state for mitigation of flooding. (Ratzki, Merr 1; Karrick, Merr 25; Mulholland, Graf 17; Raymond, Belk 4; J. Mann, Ches 2; Burns, Merr 2; Carey, Merr 26; Reilly, Graf 9; Kelly, Dist 10; Larsen, Dist 15; Hosmer, Dist 7: Ways and Means)

**HB 582**, repealing early offers for medical injury claims. (Weber, Ches 1; Wall, Straf 6; Lasky, Dist 13; Soucy, Dist 18: Judiciary)

**HB 583**, relative to proceedings of medical injury claims screening panels. (Weber, Ches 1; Wall, Straf 6; Lasky, Dist 13; Soucy, Dist 18: Judiciary)

**HB 584**, relative to covered prescription drugs. (Rosenwald, Hills 30; M. MacKay, Hills 30; D. McGuire, Merr 21; Kurk, Hills 2; Reagan, Dist 17; Lasky, Dist 13; Gilmour, Dist 12: Health, Human Services and Elderly Affairs)

**HB 585**, relative to insurance parity for optometrists. (Schlachman, Rock 18; Hammond, Hills 24; Harding, Graf 13; Cebrowski, Hills 7; Kotowski, Merr 24; Stiles, Dist 24; Kelly, Dist 10; Boutin, Dist 16; Bradley, Dist 3; Prescott, Dist 23: Commerce and Consumer Affairs)

**HB 586**, establishing a one-year moratorium on applications for certificates for electric transmission facilities. (Suzanne Smith, Graf 8; Ford, Graf 3; Rappaport, Coos 1; DiMartino, Belk 2: Science, Technology and Energy)

**HB 587**, relative to medical examination requirements for commercial drivers' licenses. (Tasker, Rock 2; Hodgdon, Rock 1; Tucker, Rock 23; Danaïs, Rock 2; Duarte, Rock 2; Warden, Hills 39; M. Mann, Rock 32; Reagan, Dist 17: Transportation)

**HB 588**, extending the instream flow pilot program for 2 years. (Spang, Straf 6; Beaulieu, Hills 45; M. Smith, Straf 6; Ginsburg, Straf 6; Watters, Dist 4; Reagan, Dist 17: Resources, Recreation and Development)

**HB 589**, relative to a selectman serving on the school board. (Weyler, Rock 13; Umberger, Carr 2: Municipal and County Government)

**HB 590**, relative to the unauthorized practice of law. (Souza, Hills 43; Dumaine, Rock 4; Itse, Rock 10; Gagne, Hills 13; Weyler, Rock 13; Jones, Straf 24; Infantine, Hills 13: Judiciary)

**HB 591**, relative to an abusive work environment and the health and safety of public employees. (Schuett, Merr 20; J. Schmidt, Hills 28; Davis, Merr 20; Turcotte, Merr 22; Emerson, Ches 11; Irwin, Sull 6; Gale, Hills 28; Alicea, Merr 8: Labor, Industrial and Rehabilitative Services)

**HR 6**, commemorating the 40th anniversary of the Roe v Wade Supreme Court decision and affirming support for its holding and principles. (Bouchard, Merr 18; Wall, Straf 6; Rosenwald, Hills 30; Harding, Graf 13; Lockwood, Merr 9; Theberge, Coos 3; Kidder, Merr 5; Sad, Ches 1: Health, Human Services and Elderly Affairs)

**HR 7**, urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law. (Pastor, Graf 12; Cushing, Rock 21; Higgins, Graf 12; Pierce, Dist 5; Fuller Clark, Dist 21: State-Federal Relations and Veterans Affairs)

**HJR 1**, directing the joint legislative historical committee to acquire and display a portrait of suffragist Marilla Marks Ricker. (Cushing, Rock 21; Emerson-Brown, Rock 27; Kopka, Hills 28; Gale, Hills 28; Campbell, Hills 33; Fuller Clark, Dist 21: Legislative Administration)

**CACR 6**, relating to education. Providing that the legislature shall have the power to authorize schools. (Itse, Rock 10; Comerford, Rock 33: Education)

**CACR 7**, relating to public education. Providing that the general court shall have the authority to define standards for public education, establish standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education. (Itse, Rock 10; Comerford, Rock 33; Jones, Straf 24; Kappler, Rock 3; Oligny, Rock 34; D. McGuire, Merr 21; Lambert, Hills 44; Cataldo, Dist 6; Reagan, Dist 17: Education)

(Rep. James MacKay in the Chair)

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 592 through 630 and House Concurrent Resolution numbered 3 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Adopted.

**INTRODUCTION OF HOUSE BILLS AND HCR****First, second reading and referral**

**HB 592-FN**, regulating the use of electronic tracking devices. (Kurk, Hills 2; Ginsburg, Straf 6; Winters, Hills 18; Commerce and Consumer Affairs)

**HB 593**, establishing a committee to study extending the due date for final property tax bills. (Tucker, Rock 23; Notter, Hills 21; L. Ober, Hills 37; Baldasaro, Rock 5; Coffey, Hills 25; Stiles, Dist 24; Municipal and County Government)

**HB 594-FN**, relative to the general consumer credit laws of the state. (Walz, Merr 23; Commerce and Consumer Affairs)

**HB 595-FN**, relative to photo identification of voters. (Weber, Ches 1; Gale, Hills 28; Winters, Hills 18; Hoelzel, Rock 3; Phillips, Ches 5; Berch, Ches 1; Lasky, Dist 13; Pierce, Dist 5: Election Law)

**HB 596-FN-L**, relative to service of notice of civil actions. (Vaillancourt, Hills 15: Judiciary)

**HB 597-FN**, relative to mandatory drug testing for certain health care workers. (Copeland, Rock 19; Schlachman, Rock 18; P. Schmidt, Straf 19; St. James, Rock 13: Health, Human Services and Elderly Affairs)

**HB 598**, relative to the reasonable compensation deduction under the business profits tax. (Hess, Merr 24: Ways and Means)

**HB 599-FN**, relative to establishing a single liquor commissioner. (Marilinda Garcia, Rock 8; Sad, Ches 1; Jasper, Hills 37; C. McGuire, Merr 29; D. McGuire, Merr 21; Carson, Dist 14: Executive Departments and Administration)

**HB 600-FN**, relative to voter registration. (Weber, Ches 1; Gale, Hills 28; Berch, Ches 1; Phillips, Ches 5; Lasky, Dist 13; Pierce, Dist 5: Election Law)

**HB 601**, requiring ballot measures to be in plain English. (Tremblay, Rock 4: Election Law)

**HB 602**, establishing a committee to study general court policies and procedures relative to persons with disabilities. (Patten, Merr 17; Haefner, Hills 37: Legislative Administration)

**HB 603-FN**, relative to the administration of the university system of New Hampshire. (Parsons, Straf 1; D. McGuire, Merr 21; Weyler, Rock 13; Cataldo, Dist 6; Reagan, Dist 17: Education)

**HB 604**, relative to alimony. (Abrami, Rock 19; Chirichiello, Rock 6; Lambert, Hills 44; Tremblay, Rock 4; Peckham, Rock 22; Oligny, Rock 34: Children and Family Law)

**HB 605**, requiring the supreme court to adopt rules of evidence for the judicial branch family division. (Abrami, Rock 19; Chirichiello, Rock 6; Lambert, Hills 44; Tremblay, Rock 4; Peckham, Rock 22; Oligny, Rock 34: Judiciary)

**HB 606-FN**, relative to community rating. (D. McGuire, Merr 21: Commerce and Consumer Affairs)

**HB 607**, relative to construction projects for the adjutant general's department. (Graham, Hills 7; Danielson, Hills 7; Rausch, Dist 19; Larsen, Dist 15: Public Works and Highways)

**HB 608**, relative to the slaughter of poultry and rabbits. (C. McGuire, Merr 29; Comtois, Belk 7; Sad, Ches 1; Jones, Straf 24; Cataldo, Dist 6: Environment and Agriculture)

**HB 609**, relative to possession of a firearm on school property. (Itse, Rock 10; Comerford, Rock 33: Criminal Justice and Public Safety)

**HB 610-FN**, relative to attorney's fees and costs in an action against a governmental unit for false arrest. (Itse, Rock 10; Comerford, Rock 33: Judiciary)

**HB 611**, clarifying the equity jurisdiction of the judicial branch family division. (Itse, Rock 10; Comerford, Rock 33; Tremblay, Rock 4; Lambert, Hills 44; Baldasaro, Rock 5; Kappler, Rock 3; Hoell, Merr 23; Willette, Hills 23; Warden, Hills 39; Oligny, Rock 34; Reagan, Dist 17; Cataldo, Dist 6: Judiciary)

**HB 612**, requiring a disclosure statement by persons seeking a party's nomination for elective office. (Tremblay, Rock 4: Election Law)

**HB 613-FN**, relative to procedures and authority for the redress of grievances. (Tremblay, Rock 4: Legislative Administration)

**HB 614-FN**, limiting the authorization for new annual general fund-supported debt. (Kurk, Hills 2; Leishman, Hills 24; Weyler, Rock 13; Chandler, Carr 1: Finance)

**HB 615-FN-A**, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefor. (Baldasaro, Rock 5; Tamburello, Rock 5; Griffin, Rock 7; Kappler, Rock 3; L. Ober, Hills 37; R. Ober, Hills 37; LeBrun, Hills 32; Theberge, Coos 3; W. O'Brien, Hills 5; Shurtleff, Merr 11: Education/Finance)

**HB 616-FN**, relative to the enforcement of false swearing and perjury in official matters. (Oligny, Rock 34; Burt, Hills 6; Lambert, Hills 44; Sapareto, Rock 6; Itse, Rock 10: Criminal Justice and Public Safety)

**HB 617-FN-A-L**, increasing the rate of the road toll, increasing the vehicle registration fee, and establishing the New Hampshire state and municipal road and bridge account. (Campbell, Hills 33; Bouchard, Merr 18; McConkey, Carr 3; Barry, Hills 21; Tatro, Ches 15; Lovejoy, Rock 36; A. Schmidt, Sull 1; Watters, Dist 4; Pierce, Dist 5: Public Works and Highways)

**HB 618**, relative to disclosure of annulled criminal records. (Hoell, Merr 23: Criminal Justice and Public Safety)

**HB 619-FN**, prohibiting images of a person's residence to be taken from the air. (Kurk, Hills 2: Criminal Justice and Public Safety)

**HB 620-FN-L**, relative to the adjustment of member and employer contribution rates in the retirement system. (Weyler, Rock 13; Kurk, Hills 2; Sedensky, Rock 13; Reagan, Dist 17: Executive Departments and Administration)

**HB 621-FN**, decriminalizing possession of less than one ounce of marijuana. (Tasker, Rock 2: Criminal Justice and Public Safety)

**HB 622**, establishing a committee to study state house security. (Patten, Merr 17: Legislative Administration)

**HB 623-FN-A**, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program. (Buco, Carr 2; Umberger, Carr 2; Leishman, Hills 24; Hubbard, Straf 12; Ames, Ches 9; Ahlgren, Carr 6; S. Schmidt, Carr 6; Pantelakos, Rock 25; Gottling, Sull 2; Danielson, Hills 7; Bradley, Dist 3; Lasky, Dist 13; Fuller Clark, Dist 21: Finance)

**HB 624-FN**, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire. (Baldasaro, Rock 5; Griffin, Rock 7; Kappler, Rock 3; L. Ober, Hills 37; R. Ober, Hills 37; LeBrun, Hills 32; Theberge, Coos 3; W. O'Brien, Hills 5; Shurtleff, Merr 11: Education)

**HB 625-FN**, relative to oversight of guardians ad litem by the guardian ad litem board. (Kappler, Rock 3; Oligny, Rock 34; Itse, Rock 10; Lambert, Hills 44: Children and Family Law)

**HB 626**, prioritizing school building aid funds for a high school in which accreditation is probationary or has been revoked. (Cloutier, Sull 10; Gagnon, Sull 5; Donovan, Sull 4; O'Hearne, Sull 3; Gorman, Hills 31; Ramsey, Hills 8; Pierce, Dist 5; Odell, Dist 8: Education)

**HB 627-FN**, requiring unused vacation and sick leave to be converted to service time for purposes of calculating retirement system benefits. (D. McGuire, Merr 21; Pitre, Straf 2; Jones, Straf 24; Itse, Rock 10: Executive Departments and Administration)

**HB 628-FN**, relative to underground storage tank and above ground storage tank certification. (Worsman, Belk 2; O'Connor, Rock 6: Resources, Recreation and Development)

**HB 629-FN**, relative to designation as a high performance school for the purpose of qualifying for additional school building aid grants. (Ladd, Graf 4; Gile, Merr 27: Education)

**HB 630-FN**, repealing the New Hampshire regional greenhouse gas initiative program. (Barry, Hills 21: Science, Technology and Energy)

**HCR 3**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire. (Itse, Rock 10; Comerford, Rock 33; Baldasaro, Rock 5; Kappler, Rock 3; Warden, Hills 39; Lambert, Hills 44; Jones, Straf 24; Hoell, Merr 23; Cataldo, Dist 6; Reagan, Dist 17: State-Federal Relations and Veterans Affairs)

**(Rep. Cushing in the Chair)****RESOLUTION**

Rep. Whittemore offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 631 through 634 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

**INTRODUCTION OF HOUSE BILLS****First, second reading and referral**

**HB 631-FN-L**, requiring school boards to establish a policy allowing parents to send their children to an out-of-district school. (Hikel, Hills 6; Meaney, Hills 6: Education)

**HB 632-A**, establishing the position of state advisor of the FFA in the department of agriculture, markets, and food. (Sad, Ches 1; Jasper, Hills 37; Haefner, Hills 37: Environment and Agriculture)

**HB 633**, relative to prescription refills. (D. McGuire, Merr 21; Kotowski, Merr 24; Reagan, Dist 17: Health, Human Services and Elderly Affairs)

**HB 634**, relative to water resource management and protection plans in municipal master plans. (Spang, Straf 6; Beaulieu, Hills 45; Schlachman, Rock 18; Borden, Rock 24; Watters, Dist 4; Reagan, Dist 17; Fuller Clark, Dist 21: Municipal and County Government)

**RECESS****(Rep. Cloutier in the Chair)****RESOLUTION**

Rep. Gary Richardson offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 635 and 636 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

**INTRODUCTION OF HOUSE BILLS****First, second reading and referral**

**HB 635**, establishing a committee to study state rest areas. (Patten, Merr 17; Burns, Merr 2: Public Works and Highways)

**HB 636**, relative to the waitlist for community mental health services. (Harding, Graf 13; S. Schmidt, Carr 6; Odell, Dist 8; Carson, Dist 14; Pierce, Dist 5: Health, Human Services and Elderly Affairs)

**RECESS****(Rep. Shurtleff in the Chair)****RESOLUTION**

Rep. James MacKay offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 637 through 640 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

**INTRODUCTION OF HOUSE BILLS****First, second reading and referral**

**HB 637-FN-A**, transferring licensing for retail tobacco sales to the department of revenue administration from the liquor commission. (D. McGuire, Merr 21: Executive Departments and Administration)

**HB 638**, recognizing the original Thirteenth Amendment to the United States Constitution. (Tremblay, Rock 4; Baldasaro, Rock 5; Christiansen, Hills 37: State-Federal Relations and Veterans Affairs)

**HB 639**, relative to beverage container and packaging approval. (Schroadter, Rock 17; Peckham, Rock 22: Commerce and Consumer Affairs)

**HB 640**, relative to the standard valuation law. (Schlachman, Rock 18; John Hunt, Ches 11: Commerce and Consumer Affairs)

**RECESS**

**(Rep. Abrami in the Chair)****RESOLUTION**

Rep. Kaen offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 641 through 658 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees. Adopted.

**INTRODUCTION OF HOUSE BILLS****First, second reading and referral**

**HB 641-FN-L**, relative to penalties for failure to license dogs. (Cebrowski, Hills 7; Renzullo, Hills 37: Municipal and County Government)

**HB 642-FN**, establishing a scholarship program for certain New Hampshire residents interested in attending a postsecondary educational institution in the university system of New Hampshire. (Elliott, Rock 8; Azarian, Rock 8: Education)

**HB 643-FN**, establishing a science, technology, engineering, and mathematics scholars program. (Kurk, Hills 2: Education)

**HB 644-FN**, relative to parole procedures. (Shurtleff, Merr 11; Sytek, Rock 8; Charron, Rock 4; Carson, Dist 14: Criminal Justice and Public Safety)

**HB 645-FN**, relative to an extended term of imprisonment for persons with 2 prior convictions. (Robertson, Ches 6; Patten, Merr 17: Criminal Justice and Public Safety)

**HB 646-FN**, relative to New Hampshire correctional industries. (Groen, Straf 10; Pitre, Straf 2; Ulery, Hills 37: Executive Departments and Administration)

**HB 647-FN**, relative to appeals from the compensation appeals board. (G. Richardson, Merr 10: Labor, Industrial and Rehabilitative Services)

**HB 648-FN**, permitting current marital masters to remain in office until retirement, resignation, disability, or nonrenewal of appointment. (G. Richardson, Merr 10; Wallner, Merr 10; Walz, Merr 23: Judiciary)

**HB 649-FN**, relative to earned time credits for certain prisoners participating in educational and rehabilitative programming. (Gile, Merr 27; Charron, Rock 4; Shurtleff, Merr 11; Gargas, Hills 27; D'Allesandro, Dist 20; Stiles, Dist 24: Criminal Justice and Public Safety)

**HB 650-FN-A**, making an appropriation to start a bus service between Claremont and Lebanon. (Cloutier, Sull 10; Gagnon, Sull 5; O'Hearne, Sull 3; Donovan, Sull 4; A. Schmidt, Sull 1; Sykes, Graf 13; A. White, Graf 13; Harding, Graf 13; Almy, Graf 13; Pierce, Dist 5: Transportation)

**HB 651-FN-A**, restoring funding and payment of fees by the judicial council for indigent parties. (Horrigan, Straf 6; Coulombe, Coos 3: Children and Family Law)

**HB 652-FN**, relative to the judicial branch information technology fund. (Rowe, Hills 22: Judiciary)

**HB 653-FN-A**, relative to funding law enforcement prosecution of Internet crimes against children. (Pantelakos, Rock 25; Chandley, Hills 22: Criminal Justice and Public Safety)

**HB 654-FN**, relative to licensure and renewal fees. (C. McGuire, Merr 29; F. Rice, Rock 21; D. Sullivan, Hills 42; Roberts, Ches 4; Hansen, Hills 22; Cebrowski, Hills 7; Jones, Straf 24: Executive Departments and Administration)

**HB 655-FN**, relative to the collection of the amount of the property tax deferral for the elderly or disabled upon sale of the property. (Daniels, Hills 40: Municipal and County Government)

**HB 656-FN**, requiring state agencies to develop performance measures and to develop budgets for each biennium. (Umberger, Carr 2; L. Ober, Hills 37; Leishman, Hills 24; Bradley, Dist 3: Executive Departments and Administration)

**HB 657-FN**, requiring state agencies to submit efficiency expenditure requests as part of the biennial budget process. (Cebrowski, Hills 7; Weyler, Rock 13; D. McGuire, Merr 21: Finance)

**HB 658-FN**, relative to registration for medical technicians. (Copeland, Rock 19; Schlachman, Rock 18; Roberts, Ches 4; Sherman, Rock 24; Nigrello, Rock 16; P. Schmidt, Straf 19; Haefner, Hills 37; St. James, Rock 13; Coffey, Hills 25; D. Hooper, Straf 16; Fuller Clark, Dist 21; Stiles, Dist 24: Executive Departments and Administration)

**RECESS**

**(Rep. Kaen in the Chair)****RESOLUTION**

Rep. Carol Williams offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, House Bills numbered 659 through 680 and House Joint Resolution numbered 2 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.

Adopted.

**INTRODUCTION OF HOUSE BILLS AND HJR****First, second reading and referral**

**HB 659-FN-A**, increasing the tobacco tax. (Rosenwald, Hills 30; G. Richardson, Merr 10; Harding, Graf 13; Hammond, Hills 24; Emerson, Ches 11: Ways and Means)

**HB 660-FN**, requiring the labeling of genetically engineered foods and agricultural commodities. (M. Mann, Rock 32; Massimilla, Graf 1; Perry, Straf 3; Suzanne Smith, Graf 8; Raymond, Belk 4: Environment and Agriculture)

**HB 661-FN**, allocating a portion of proceeds from forfeiture of items used in connection with a drug offense to the cold case homicide unit. (Cushing, Rock 21; Chandley, Hills 22; C. Williams, Hills 14: Criminal Justice and Public Safety)

**HB 662-FN**, requiring the department of revenue administration to collect and make available data on the amount of meals and rooms tax revenue generated in each municipality. (Cushing, Rock 21; Ford, Graf 3; Muns, Rock 21; Stiles, Dist 24; Fuller Clark, Dist 21: Ways and Means)

**HB 663-FN**, relative to appeals within the department of environmental services. (Ahlgren, Carr 6; Renzullo, Hills 37; Spang, Straf 6; Bradley, Dist 3: Resources, Recreation and Development)

**HB 664-FN**, relative to the New Hampshire vaccine association. (Harding, Graf 13; Rosenwald, Hills 30; Schlachman, Rock 18; John Hunt, Ches 11; Odell, Dist 8; Gilmour, Dist 12; Forrester, Dist 2: Health, Human Services and Elderly Affairs)

**HB 665-FN-A-L**, relative to video lottery and table gaming. (Gionet, Graf 5; R. Walsh, Hills 11; Weyler, Rock 13; H. Richardson, Coos 4; Stiles, Dist 24: Ways and Means)

**HB 666-FN**, relative to penalties for speeding offenses. (Burridge, Ches 16: Criminal Justice and Public Safety)

**HB 667-FN-A**, establishing a temporary surcharge to the road toll to be dedicated to funding the state 10-year transportation improvement plan for rural and town roads. (Khan, Rock 20: Public Works and Highways)

**HB 668-FN**, relative to group and individual health insurance market rules. (Schlachman, Rock 18: Commerce and Consumer Affairs)

**HB 669-FN-L**, relative to nonpayment of property taxes on current use land. (Hansen, Hills 22: Municipal and County Government)

**HB 670-FN**, relative to marital masters. (Coulombe, Coos 3; G. Richardson, Merr 10; Horrigan, Straf 6; Kelleigh Murphy, Hills 7; Gale, Hills 28: Judiciary)

**HB 671-FN**, restoring state payment of fees for guardians ad litem and attorneys where the parents are indigent. (Coulombe, Coos 3; Horrigan, Straf 6; Gale, Hills 28: Children and Family Law)

**HB 672-FN**, relative to the property tax exemption for water and air pollution control facilities. (Walz, Merr 23; Cushing, Rock 21; Fuller Clark, Dist 21: Municipal and County Government)

**HB 673-FN**, requiring prosecution of a law enforcement officer for failure to enforce the crime of interference with custody. (Oigny, Rock 34; Burt, Hills 6; Lambert, Hills 44; Sapareto, Rock 6; Carson, Dist 14: Criminal Justice and Public Safety)

**HB 674-FN-L**, relative to state highway aid. (Campbell, Hills 33: Public Works and Highways)

**HB 675-FN**, authorizing and regulating the use of license plate scanning devices. (Shurtleff, Merr 11: Criminal Justice and Public Safety)

**HB 676-FN-A-L**, extending and expanding the Coos county job creation tax credit. (Butynski, Ches 1; Major, Rock 14; Theberge, Coos 3; Odell, Dist 8: Ways and Means)

**HB 677-FN**, relative to the certificate of need board. (Kurk, Hills 2; Rosenwald, Hills 30; Gilmour, Dist 12: Health, Human Services and Elderly Affairs)

**HB 678-FN-A-L**, relative to games of chance and establishing a gaming oversight authority and video lottery gaming. (Vaillancourt, Hills 15; Lambert, Hills 44: Executive Departments and Administration)

**HB 679**, relative to renovations to the vocational technical center at Alvirne high school. (Christiansen, Hills 37: Education)

**HB 680**, relative to attending a public school or public academy outside of the school district in which the pupil resides. (Roberts, Ches 4: Education)

**HJR 2-FN-A**, making restitution to Jeffrey Frost for inappropriate prosecution. (Itse, Rock 10: Judiciary)

#### RECESS

**(Rep. Lawrence Perkins in the Chair)**

#### RESOLUTION

Rep. Amy Perkins offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, House Bill numbered 681 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee. Adopted.

#### INTRODUCTION OF HOUSE BILL

##### **First, second reading and referral**

**HB 681**, relative to the membership, duties, and responsibilities of the guardian ad litem board and establishing the Court Appointed Advocates for Children in Divorce (CAACD) Corporation. (Itse, Rock 10; Kappler, Rock 3; Oligny, Rock 34: Children and Family Law)

#### RECESS

**(Speaker Norelli in the Chair)**

Rep. Kaen moved that the House adjourn.  
Adopted.

## HOUSE JOURNAL No. 4

Wednesday, January 30, 2013

The House assembled at 1:30 p.m. and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

Today's invocation is adapted from and based on a prayer from St. Teresa.

O Holy One, untamed by our names and unfazed by our agendas, we pray that Your Spirit would stir among us during our time here today. May there be today peace within us, and creativity among us. May we trust You that we are exactly who we are meant to be, and where we are meant to be, and that the work You have placed before us is the work we are meant to do. May we not forget the infinite possibilities that are born of faith, the glorious work that can be accomplished when we infuse our judgments with mercy, and when we allow ourselves to see our neighbors not as opponents, but as fully human partners whose concerns and dreams and fears are every bit as pressing and as real as our own.

May we be content knowing that each of us, and all of us, are Your children, and may we find occasion to tap into the inner youth within us, filled with hope and willing to work for a better day and a better way. We pray Your blessing upon each person in this hall, our families, and anyone we may know who is struggling with illness, with grief or with fear. We hold these, and all the people of New Hampshire in our thoughts, but especially those with far less than we. In Your Holy name we pray. Amen.

Representative Dudley Dumaine, member from Auburn, led the Pledge of Allegiance.

Her Excellency, Governor Margaret Wood Hassan along with the House Chaplain, Reverend Jared A. Rardin, led the singing of the National Anthem.

### LEAVES OF ABSENCE

Reps. Alicea, Booras, Cushing, Danais, Donovan, Hackel, Hatch, Helmstetter, John Kelley, Kopka, Milz, Phillips, Pratt and Joy Tilton, the day, illness.

Reps. Azarian, Richard Eaton, Friedrich, Gardner, Hinch, Hoell, Huot, Jane Johnson, Lerandean, Lundgren, Priestly, Rowe, Stephen Schmidt, Timothy Smith, Todd Smith, Spainhower, Takesian, Tamburello and Tanner, the day, important business.

### INTRODUCTION OF GUESTS

Girl Scouts from the Green and White Mountains, participating in the Girls Rock the Capitol program, accompanied by their advisors Nicole Nolan and Nancy Fraher, guests of the House. Hemma Gautam, guest of Rep. Ticehurst.

### COMMUNICATION

January 3, 2013

Ms. Karen Wadsworth  
Clerk of the House of Representatives  
State House  
Concord, NH 03301

Dear Karen:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Sullivan District No. 1 (Cornish, Grantham, Plainfield, Springfield)

Benjamin P. Lefebvre, d, Grantham (PO Box 1131) 03753

Sincerely,  
William M. Gardner, Secretary of State



**MOTION TO VACATE**

Rep. Marjorie Smith moved that the House vacate the reference of **HB 128**, relative to recording public votes in public records, to the Committee on Judiciary.  
Adopted.

The Speaker referred **HB 128** to the Committee on Municipal and County Government.

**MOTION TO VACATE**

Rep. Butler moved that the House vacate the reference of **HB 228**, relative to insurance fraud, to the Committee on Commerce and Consumer Affairs.  
Adopted.

The Speaker referred **HB 228** to the Committee on Judiciary.

**PETITIONS**

**Petitioner Representative Daniel Itse on behalf of Ralph Holder.** This grievance against the State of New Hampshire, the circuit court family division and a guardian ad litem seeks introduction of legislation regarding attorneys and restraining orders.

**Petitioner Representative Daniel Itse on behalf of Timothy Sanborn.** This grievance against two marital masters and the judicial branch family court division seeks legislation regarding the Family Court Division and legislation seeking to overturn a court decision.

**Petitioner Representative Timothy Comerford on behalf of Dorothy Knightly of Nashua.** This grievance against the State of New Hampshire, Department of Health and Human Services, Division of Children, Youth and Families seeks consideration of a Bill of Address and legislation regarding grandparent custodial rights.

**Petitioner Representative Robert Luther on behalf of Ann Marie Moynihan.** This grievance against the 10<sup>th</sup> Circuit Court Family Division seeks review of court procedures in a particular case and disciplinary action against the presiding judge.

**Petitioner Representative Robert Luther on behalf of Carlo Basner Fioli.** This grievance against the State of New Hampshire, the Rockingham circuit court family division, a marital master and a guardian ad litem seeks legislation to bring about several changes in the guardian ad litem program and shared parenting arrangements and parental rights proceedings.

**Petitioner Representative Stella Tremblay on behalf of Wade Henry.** This grievance against the department of labor, some employees of the department and the members of the compensation appeals board, seeks redress in the form of a joint resolution requesting another hearing so that appropriate worker's compensation may be awarded.

Copies of petitions are on file in the Clerk's Office.

**CONSENT CALENDAR**

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 103-FN**, reducing the penalty for violating a local vendor ordinance, removed by Rep. Jones.  
Consent Calendar adopted.

**HB 132-FN-L**, relative to responsibility for medical costs incurred by a person in custody. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert M. Fesh for Criminal Justice and Public Safety: The sponsor and co-sponsor of the legislation came in to the committee and asked that the bill be withdrawn. Accordingly, we voted to kill the bill. Vote 18-0.

**HB 133**, relative to the authority of the superintendent of a county correctional facility to release a prisoner. **INEXPEDIENT TO LEGISLATE.**

Rep. Larry G. Gagne for Criminal Justice and Public Safety: This bill would allow a superintendent to release any person sentenced to imprisonment in a county department of corrections facility for

such purposes as the superintendent may deem conducive to his or her rehabilitation. The prime sponsor, with the concurrence of the committee, recommended Inexpedient to Legislate as even the sponsors had some concerns with the bill, as written. Vote 18-0.

**HB 164**, establishing a legislative oversight committee on corrections issues. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: The committee believes that the idea of studying specific issues may well have merit, but this bill to establish a commission to oversee the entire scope of the department of corrections is overly broad and also duplicative of other efforts at both the legislative and executive level. For example, one function of the oversight committee would be to look at finances, but the House Finance Committee spent three days on this topic last session and will most likely do so again this year. Also, without the recommendation of any committee or commission, any single member may file specific legislation. Vote 17-1.

**HB 165**, establishing a committee to study the use of the sex offender registry. **OUGHT TO PASS.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety: This bill establishes a committee to study the use of the sex-offender registry. Over the past several years this committee has heard concerns about and problems with the sex offender registry. This committee will evaluate whether any changes should be made to the law. The bill was supported by the Crisis Center of New Hampshire, the Coalition Against Domestic and Sexual Violence and criminal defense lawyers. Vote 17-0.

**HB 167**, relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin. **OUGHT TO PASS.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety: This bill provides that a crime victim be notified by either the adult parole board or the department of corrections when the person who committed the crime against them has a parole hearing. Victims have a right under the Crime Victim's Bill of Rights to notice of any action or change of status of the prisoner. The bill previously passed in the House and Senate but died in a committee of conference because of disagreement over a different part of the bill. The department of corrections supports this bill. Vote 17-0.

**HB 160**, relative to a school district's transportation responsibility for pupils of divorced parents with joint decision making responsibility. **OUGHT TO PASS.**

Rep. Judith T. Spang for Education: Established bus routes for a school coincide with the designated attendance area of that school. When a child of divorced parents resides with each parent in turn, one home may be within the same school district, but outside the designated attendance area and bus service route of the child's assigned school. Current laws stipulate that the school district must transport the child to school if the child is residing within the district. However, the laws do not explicitly state whether the school has a responsibility to transport a child when residing in the school district, but outside the attendance area of the child's assigned school. This bill corrects this problem and clearly states that in such cases, the school district and school to which the child is assigned are not responsible for transporting the student to and from the alternate parent's residence in another school service area. Vote 19-0.

**HB 232**, relative to the membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles E. McMahon for Health, Human Services and Elderly Affairs: The governor's council on alcohol and drug abuse prevention, intervention and treatment has been undergoing extensive strategic planning. One of the recommendations is an expansion of the commission membership. This legislation, consistent with the strategic plan, adds the commissioner of insurance; a member of the Business and Industry Association of New Hampshire; the Chancellor of the Community College Systems of New Hampshire; a member of the New Hampshire Medical Society; the New Hampshire Nurses' Association and the Chairman of the N.H. Suicide Prevention Council. These new appointments will strengthen the ability of the commission to implement the commission's strategic plan. Vote 17-0.

**Amendment (0019h)**

Amend RSA 12-J:1, IV(a) as inserted by section 2 of the bill by inserting after subparagraph (4) the following new subparagraph:

(5) A representative of the New Hampshire Nurses' Association, appointed by the association.

### AMENDED ANALYSIS

This bill adds 6 members to the governor's commission on alcohol and drug abuse prevention, intervention, and treatment.

**HB 236**, relative to membership of the council on autism spectrum disorders. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill amends the statute for the council on autism which was established in 2008. The bill allows several members to assign a designee in order to enhance the possibility of a quorum. The bill also amends the duties of the council so there is no longer an expectation that mediation is a council responsibility. Vote 17-0.

#### Amendment (0047h)

Amend RSA 171-A:32, I as inserted by section 2 of the bill by inserting after subparagraph (u) the following new subparagraphs:

(v) A representative of the New Hampshire Nurses' Association, appointed by the association.

(w) A licensed speech-language pathologist, appointed by the New Hampshire Speech-Language-Hearing Association, Inc.

**HB 102**, relative to custody and control of the remains of deceased persons by next of kin. **INEXPEDIENT TO LEGISLATE.**

Rep. Lenette M. Peterson for Judiciary: The committee voted Inexpedient to Legislate for two reasons: 1) The seven-day waiting period would be too much time for the funeral home directors to properly "preserve" the body for religious purposes and for an open casket wake/viewing; 2) No state has given stepchildren the same rights as natural children. Vote 19-0.

**HB 104**, amending certain requirements to obtain a local vendor license. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy D. Copeland for Municipal and County Government: This bill was defeated last year. Federal criminal record checks, also known as NCIC checks (National Crime Information Center) are critical in ascertaining the true identity of a person. Employment fingerprint checks are a regular way of doing business in today's society whether you are applying for a government or military position, child care, teacher, etc. A state name check is limited in accurately determining someone's criminal history, if any, and may be very misleading. If one is arrested in another state or jurisdiction under an assumed name and gives that name when fingerprinted, then later a state name check is performed on (without fingerprints) in New Hampshire under one's true birth/legal name the alias will not surface. The NH entity performing that name check will never uncover a criminal history under that different name because fingerprints are unique to people, not names. This legislation would eliminate the federal fingerprint check which currently is an accurate vetting process, putting the general public in possible danger by not knowing the true criminal record of a person arrested under an assumed name. This legislation is a big step backwards not only for our state but for the safety of our citizens who have an expectation that we have thoroughly vetted the individual to the best of our ability with the current available tools at hand. Vote 15-0.

**HB 108**, permitting manufactured housing parks and condominium associations to access dog registration records. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce L. Tatro for Municipal and County Government: This bill would allow manufactured housing and condo associations access to municipal dog registration records. The committee heard testimony from several people on both sides of the issue and concluded that access is not necessary. In the event a person is bitten, the authorities (police) must be notified and they access the vaccination records. Vote 15-0.

**HB 109-FN-L**, repealing group licenses for dog owners. **INEXPEDIENT TO LEGISLATE.**

Rep. Tom Lavender for Municipal and County Government: This bill would repeal group licenses for owners of more than five dogs. The issues raised were largely to do with fees and their unfair application, which is not addressed in this bill. No compelling reason was presented to necessitate repealing a program that works. Vote 16-0.

**HB 113**, relative to lot access for erection of buildings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James P. Belanger for Municipal and County Government: Current statute allows for buildings with access other than by a town approved road under certain conditions. Some of those include

approval by planning board, governing body and zoning board. This bill makes no changes to those provisions but clarifies the necessary provisions in the event that access is a deeded right of way. This bill clarifies the difference between a private road and a right of way but imposes the same stipulations that absolve the municipality from liability. Vote 15-1.

#### **Amendment (0008h)**

Amend the bill by replacing section 1 with the following:

1 Erection of Buildings; Street Access. Amend RSA 674:41, III to read as follows:

III. This section shall supersede any less stringent local ordinance, code, or regulation, and no existing lot or tract of land shall be exempted from the provisions of this section except in accordance with the procedures expressly set forth in this section. For purposes of paragraph I, "the street giving access to the lot" means a street or way abutting the lot and upon which the lot has frontage. It does not include a street from which the sole access to the lot is via a private easement or right-of-way, unless:

(a) Such easement or right-of-way also meets the criteria set forth in subparagraphs I(a), (b), (c), (d), or (e); **or**

(b) *Such right-of-way provides access to a class VI or better highway, provided that:*

(1) *The municipality neither assumes responsibility for maintenance of said private right-of-way nor liability for any damages resulting from the use thereof; and*

(2) *Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds for the lot for which the building permit is sought.*

**HB 115**, relative to the procedure for filling a vacancy on a cooperative school district budget committee. **OUGHT TO PASS.**

Rep. James P. Belanger for Municipal and County Government: This bill makes changes to the statute concerning the filling of a vacancy on a cooperative school district budget committee and brings it into alignment with changes made last term to other sections of the statute concerning vacancies on cooperative school boards. Current law requires a vacancy to be filled within five days, but does not say when the five day count should begin. This bill addresses that issue. It also makes clear which town officials are responsible for making the appointment to fill the vacancy. Vote 16-0.

**HB 126-L**, relative to use of revolving funds by towns for maintaining recycling programs. **OUGHT TO PASS.**

Rep. Kathleen M. Stroud for Municipal and County Government: This bill allows a town, by vote of the legislative body, to establish a revolving fund to facilitate, maintain, or encourage recycling. Vote 16-0.

**HB 111**, relative to the acquisition of property at Akers pond dam in the town of Errol by the fish and game department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne H. Gottling for Resources, Recreation and Development: Some state-owned dams have privately owned access areas and/or dikes adjacent to or abutting the dams. Access to these areas by the state is necessary for efficient repair, maintenance and operation of these dams and dikes. HB 111 allows the Fish and Game Department to expend \$1 to acquire an easement for these purposes at Akers pond dam in Errol. The amendment allows the Department of Environmental Services to acquire similar easements for the dikes at Northwood Lake in Epsom and Hermit Lake in Sanbornton. Vote 18-0.

#### **Amendment (0014h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to the acquisition of property rights at Akers Pond dam in the town of Errol by the fish and game department and the acquisition of property rights at Northwood Lake dam in the town of Epsom and Hermit Lake dam in the town of Sanbornton by the department of environmental services.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraphs; Acquisition by State of Certain Dams and Water Rights; Akers Pond Dam; Northwood Lake Dam; Hermit Lake Dam. Amend RSA 482:48 by inserting after paragraph VII the following new paragraphs:

VIII. For a consideration of \$1, the fish and game department may accept an easement from the property owners of all rights necessary to repair, maintain, and operate Akers Pond dam access and dike area in the town of Errol, adjacent to and abutting the state owned dam known as number 080.20 for the purpose of improving and controlling the water rights for the benefit of the state. The easement the fish and game department is authorized to acquire for the benefit of the state shall be exempt from taxation as long as the easement is held by the state. The fish and game department may transfer rights in these properties under RSA 482:51 to the department for purposes of repair and maintenance. With the exception of such \$1 consideration, nothing in this paragraph shall mandate or authorize the expenditure of any funds or capital relative to the provisions of this paragraph.

IX. For a consideration of \$1 each, the department of environmental services may accept an easement from the property owners of all rights necessary to access, repair, maintain, and operate the dike at Northwood Lake in the town of Epsom appurtenant to the state owned dam known as number 079.01 and the dike at Hermit Lake in the town of Sanbornton appurtenant to the state owned dam known as number 211.01, for the purpose of improving and controlling the water rights for the benefit of the state. The easements the department is authorized to acquire for the benefit of the state shall be exempt from taxation as long as the easements are held by the state. With the exception of such \$1 consideration for each, nothing in this paragraph shall mandate or authorize the expenditure of any funds or capital relative to the provisions of this paragraph.

2 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

The bill allows the fish and game department to acquire an easement at the Akers Pond dam in Errol for the purpose of improving and controlling the water rights for the benefit of the state. The bill also allows the department of environmental services to acquire easements at the Northwood Lake dam in the town of Epsom and the Hermit Lake dam in the town of Sanbornton for the purpose of improving and controlling the water rights for the benefit of the state.

### **HB 105**, relative to the release of motor vehicle registration information. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael B. O'Brien for Transportation: This bill would have allowed hospital security to request vehicle information such as name and address of the vehicle owner prior to the vehicle being towed. This information would come from the local municipal police who would get the information from the department of motor vehicle (DMV) database. The bill was brought forward due to the towing of the bill sponsor's vehicle which was posted as an emergency vehicle only parking area, when he was admitted to the emergency room. Although the towing of the vehicle was a rare and unfortunate incident, the committee felt private information may fall into the hands of private security unregulated by state law. The committee also felt if the admitting staff at the hospital asked further questions as part of their admitting procedure, (such as do you have a vehicle parked in the emergency parking area, that this incident may have been averted.) Vote 17-1.

### **HB 112-FN**, relative to registration permit fees for special use vehicles. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Elizabeth B. Burtis for Transportation: The amendment removes the originally proposed changes to the existing fee structure and the fiscal note no longer applies. The amended bill further clarifies the language of the existing law and explicitly allows the use of reclamation funds for any solid waste recycling after the cost of recycling motor vehicle waste has been expended. The amendment also clarifies the language of two motor vehicle definitions and is supported by the department of safety. Vote 18-0.

### **Amendment (0018h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to reclamation trust funds.

Amend the bill by replacing all after the enacting clause with the following:

1 Reclamation Trust Funds. Amend RSA 149-M:18 to read as follows:

149-M:18 Town Reclamation Trust Funds. A town which collects an additional fee under RSA 261:153, V shall create a town reclamation trust fund to receive the town share of such fee, to be used to pay the fees for the collection and disposal of the town's motor vehicle waste *and to pay for the recycling and reclamation of other types of solid waste*. For the purposes of this section,

“motor vehicle waste” means used residential motor oil, residential motor vehicle batteries, and tires from residential motorized vehicles. “Residential”, for the purposes of this paragraph, means any motor vehicle registered in a municipality which collects the fee assessed under RSA 261:153, V. ~~[Towns may use any moneys in the fund in excess of such fees for the recycling and reclamation of other types of solid waste.]~~

2 Reclamation Trust Funds. Amend the introductory paragraph of RSA 261:153, V to read as follows:

V. Beginning July 1, 1989, in addition to each registration fee collected under paragraph I, there may be collected an additional fee for the purposes of a town reclamation trust fund as established in RSA 149-M:18. Of this amount, \$.50 shall be retained by the city official designated by the city government or by the town clerk for administrative costs and the remaining amount shall be deposited into the reclamation trust fund established by the town for the purpose of paying collection and disposal fees for the town’s motor vehicle waste *and paying for the recycling and reclamation of other types of solid waste*. For the purposes of this paragraph, “motor vehicle waste” means “motor vehicle waste” as defined in RSA 149-M:18. A town which collects such additional fees shall not charge a disposal fee for motor vehicle waste at the town’s solid waste disposal facility. If a town finds the additional fee is not sufficient to cover fees for collection and disposal of town motor vehicle waste, it shall notify the office of energy and planning. The office shall study the fee in accordance with RSA 4-C:1 and make recommendations, if necessary, for increases in the fee. The additional fee schedule shall be graduated by class of vehicle as follows:

3 Fees for Registration Permits; Reclamation Trust Fund; Special Use Vehicles. Amend RSA 261:153, V(c) to read as follows:

(c) Unless otherwise provided, the fee for special use vehicles including all-terrain vehicles, agricultural and farm vehicles, and ~~[historic]~~ *antique* vehicles and for 2-wheeled vehicles including mopeds, motorcycles, and ~~[non-motorized car and boat]~~ *automobile utility* trailers, shall be \$2.

4 Effective Date. This act shall take effect July 1, 2013.

#### AMENDED ANALYSIS

This bill allows the use of funds from the optional additional motor vehicle permit fee deposited in reclamation trust funds to be used to pay for the recycling and reclamation of solid waste. This bill also clarifies references in the permit fee statute.

#### MOTION TO REFER PETITION TO COMMITTEE

Rep. Lambert moved to refer a Petition to a House Committee.

The Speaker ruled the motion out of order.

#### APPEAL OF THE RULING OF THE CHAIR

Rep. Lambert appealed the ruling of the Chair whereby the Chair, pursuant to House Rule 18, ruled the motion out of order.

The question being shall the ruling of the Chair be upheld?

Rep. Vaillancourt spoke in favor and requested a roll call; sufficiently seconded.

#### YEAS 276 NAYS 77

##### YEAS 276 BELKNAP

Arsenault, Beth  
Fink, Charles  
Raymond, Ian

Burchell, Richard  
Flanders, Donald  
Tilton, Franklin

DiMartino, Lisa  
Gulick, Ruth

Fields, Dennis  
Luther, Robert

##### CARROLL

Ahlgren, Christopher  
Crawford, Karel  
Ticehurst, Susan

Buco, Thomas  
Lavender, Tom  
Umberger, Karen

Butler, Edward  
McConkey, Mark  
White, Syndi

Chandler, Gene  
Morrow, Harry

##### CHESHIRE

Ames, Richard  
Chase, Cynthia

Berch, Paul  
Eaton, Daniel

Burridge, Delmar  
Emerson, Susan

Butynski, William  
Hunt, John

Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Mann, John  
Sad, Tara  
Weed, Charles

Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

## COOS

Coulombe, Gary  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

## GRAFTON

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Bailey, Brad  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Benn, Bernard  
Doolan, Ralph Jr  
Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

## HILLSBOROUGH

Backus, Robert  
Boisvert, Ronald  
Chandlee, Shannon  
Cote, David  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Heden, Ruth  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murotake, David  
O'Flaherty, Tim  
Porter, Marjorie  
Sanborn, Laurie  
Soucy, Timothy  
Sullivan, Daniel  
Vaillancourt, Steve  
Williams, Kermit

Barry, Richard  
Campbell, David  
Christiansen, Lars  
Daniels, Gary  
Gagne, Larry  
Goley, Jeffrey  
Hammond, Jill  
Infantine, William  
Kurk, Neal  
Levesque, Melanie  
Marston, Dick  
Murphy, Kelleigh  
Ober, Russell III  
Ramsey, Peter  
Schmidt, Janice  
Souza, Kathleen  
Sullivan, Peter  
Walsh, Robert Jr  
Winters, Joel

Beaulieu, Jane  
Carroll, Douglas  
Coffey, James  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
Nelson, Mary  
Palangas, Eric  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Sweeney, Shawn  
Warden, Mark  
Woodbury, David

Belanger, James  
Cebrowski, John  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Jasper, Shawn  
Levasseur, Nickolas  
MacKay, Mariellen  
McNamara, Richard  
O'Brien, Michael Sr  
Pellegrino, Tony  
Rosenwald, Cindy  
Shaw, Barbara  
Stroud, Kathleen  
Vail, Suzanne  
Williams, Carol

## MERRIMACK

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
MacKay, James  
Ratzki, Mario  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Reed, Dennis  
Schamberg, Thomas  
Wallner, Mary Jane

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

## ROCKINGHAM

Abrami, Patrick  
Briden, Steven  
Charron, Gene  
Elliott, Robert  
Flockhart, Eileen  
Heffron, Frank  
Khan, Aboul  
McKinney, Betsy

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Friel, William  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles

Bishop, Franklin  
Cahill, Michael  
DeSimone, Debra  
Ferrante, Beverly  
Garcia, Marilinda  
Introne, Robert  
Lovejoy, Patricia  
Moody, Marcia

Borden, David  
Cali-Pitts, Jacqueline  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Kappler, Lawrence  
Mann, Maureen  
Muns, Chris

Nigrello, Robert  
 Peckham, Michele  
 Scarlotto, Joe  
 St.James, Kevin  
 Ward, Gerald  
 Whittemore, Lisa

Oligny, Jeffrey  
 Perkins, Amy  
 Schlachman, Donna  
 Sweeney, Joe  
 Waterhouse, Kevin

Packard, Sherman  
 Perkins, Lawrence  
 Sedensky, John  
 Sytek, John  
 Wazlaw, Brian

Pantelakos, Laura  
 Sanders, Elisabeth  
 Sherman, Thomas  
 Till, Mary  
 Weyler, Kenneth

### STRAFFORD

Baber, William  
 Ginsburg, Philip  
 Hooper, Dorothea  
 Ketel, Stephen  
 Mullen, John Jr  
 Rollo, Deanna  
 Stevens, Audrey

Bixby, Peter  
 Grassie, Anne  
 Horrigan, Timothy  
 Malloy, Dennis  
 Pelletier, Marsha  
 Schmidt, Peter  
 Verschueren, James

Burdwood, Greg  
 Gray, James  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Perry, Robert  
 Smith, Marjorie  
 Wall, Janet

Burke, Rachel  
 Grossman, Kenneth  
 Kaen, Naida  
 Miller, David  
 Rogers, Rose Marie  
 Spang, Judith  
 Ward, Kenneth

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Schmidt, Andrew

Gagnon, Raymond  
 Lefebvre, Benjamin  
 Smith, Steven

Gottling, Suzanne  
 O'Hearne, Andrew  
 Sweeney, Cynthia

Grenier, James  
 Rollins, Skip

### NAYS 77

### BELKNAP

Comtois, Guy  
 Sylvia, Michael

Cormier, Jane  
 Vadney, Herbert

Greemore, Robert Jr  
 Worsman, Colette

Holmes, Stephen

### CARROLL

Cordelli, Glenn

Nelson, Bill

Wright, Donald

### CHESHIRE

None

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Gionet, Edmond

Reilly, Harold Sr

### HILLSBOROUGH

Boehm, Ralph  
 Flanagan, Jack  
 Hikel, John  
 Martel, Andre  
 Notter, Jeanine  
 Parison, James  
 Straight, Philip

Burt, John  
 Garcia, Michael  
 Hopper, Gary  
 McCarthy, Michael  
 O'Brien, William  
 Peterson, Lenette  
 Ulery, Jordan

Byron, Frank  
 Haefner, Robert  
 Lambert, George  
 Meaney, Richard  
 Ober, Lynne  
 Renzullo, Andrew  
 Villeneuve, Moe

Culbert, Patrick  
 Hansen, Peter  
 LeBrun, Donald  
 Murphy, Keith  
 Palmer, Stephen  
 Sandblade, Emily  
 Willette, Robert

### MERRIMACK

McGuire, Carol

McGuire, Dan

Walsh, Thomas IV

### ROCKINGHAM

Allen, Mary  
 Chirichiello, Brian  
 Emerick, J. Tracy  
 Hagan, Joseph  
 Itsa, Daniel  
 Schroadter, Adam  
 Tucker, Pamela

Baldasaro, Alfred  
 Comerford, Timothy  
 Garcia, Bianca  
 Harris, Jeffrey  
 Major, Norman  
 Tasker, Kyle  
 Webb, James Sr

Bick, Patrick  
 Devine, James  
 Gordon, Richard  
 Hayes, Jack  
 O'Connor, John  
 Thompson, David

Birdsell, Regina  
 Duarte, Joe  
 Grace, Curtis  
 Hodgdon, Bruce  
 Rice, Frederick  
 Tremblay, Stella



**STRAFFORD**

Beaudoin, Steven  
Parsons, Robbie

Bickford, David  
Pitre, Joseph

Groen, Warren

Jones, Laura

**SULLIVAN**

None

and the ruling of the Chair was upheld.

**MOTION TO REFER PETITION TO COMMITTEE**

Rep. Itse moved that the Petition on behalf of Ralph Holder be referred to the Committee on Children and Family Law.

Rep. Gary Richardson spoke against.

Rep. Itse spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 124 NAYS 231**

**YEAS 124****BELKNAP**

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Comtois, Guy  
Holmes, Stephen  
Worsman, Colette

Cormier, Jane  
Luther, Robert

Fink, Charles  
Sylvia, Michael

**CARROLL**

Chandler, Gene  
Umberger, Karen

Cordelli, Glenn  
Wright, Donald

McConkey, Mark

Nelson, Bill

**CHESHIRE**

Hunt, John

Johnsen, Gladys

Roberts, Kris

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad

Bradley, Lester

Gionet, Edmond

Reilly, Harold Sr

**HILLSBOROUGH**

Belanger, James  
Christiansen, Lars  
Flanagan, Jack  
Hikel, John  
LeBrun, Donald  
Meaney, Richard  
O'Brien, William  
Parison, James  
Sanborn, Laurie  
Sweeney, Shawn  
Willette, Robert

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Hopper, Gary  
Manley, Jonathan Sr  
Murotake, David  
O'Flaherty, Tim  
Pellegrino, Tony  
Sandblade, Emily  
Ulery, Jordan

Burt, John  
Culbert, Patrick  
Garcia, Michael  
Infantine, William  
Marston, Dick  
Murphy, Keith  
Ober, Lynne  
Peterson, Lenette  
Souza, Kathleen  
Villeneuve, Moe

Byron, Frank  
Daniels, Gary  
Hansen, Peter  
Lambert, George  
Martel, Andre  
Notter, Jeanine  
Palmer, Stephen  
Renzullo, Andrew  
Straight, Philip  
Warden, Mark

**MERRIMACK**

McGuire, Carol

McGuire, Dan

Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Duarte, Joe  
Friel, William  
Grace, Curtis

Allen, Mary  
Bishop, Franklin  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary

Baldasaro, Alfred  
Comerford, Timothy  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph

Bick, Patrick  
Devine, James  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey

Hayes, Jack  
Itse, Daniel  
McMahon, Charles  
Perkins, Amy  
Sedensky, John  
Tremblay, Stella  
Weyler, Kenneth

Hodgdon, Bruce  
Kappler, Lawrence  
Nigrello, Robert  
Perkins, Lawrence  
Sweeney, Joe  
Tucker, Pamela

Hoelzel, Kathleen  
Khan, Aboul  
Oigny, Jeffrey  
Rice, Frederick  
Tasker, Kyle  
Waterhouse, Kevin

Introne, Robert  
McKinney, Betsy  
Peckham, Michele  
Schroadter, Adam  
Thompson, David  
Webb, James Sr

## STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

## SULLIVAN

Rollins, Skip

Smith, Steven

## NAYS 231

## BELKNAP

Arsenault, Beth  
Gulick, Ruth

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis  
Tilton, Franklin

Flanders, Donald

## CARROLL

Ahlgren, Christopher  
Lavender, Tom

Buco, Thomas  
Merrow, Harry

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
White, Syndi

## CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Sad, Tara  
Weed, Charles

## COOS

Coulombe, Gary  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

## GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Doolan, Ralph Jr  
Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

## HILLSBOROUGH

Backus, Robert  
Campbell, David  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Katsiantonis, Thomas  
Levasseur, Nicolas  
MacKay, Mariellen  
Murphy, Kelleigh  
Palangas, Eric  
Rokas, Ted

Barry, Richard  
Carroll, Douglas  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Knowles, Mary Ann  
LeVasseur, Richard  
McCarthy, Michael  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy

Beaulieu, Jane  
Cebrowski, John  
Danielson, David  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Jasper, Shawn  
Kurk, Neal  
Levesque, Melanie  
McCloskey, David  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice

Boisvert, Ronald  
Chandlee, Shannon  
DiSilvestro, Linda  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Katsiantonis, George  
Leishman, Peter  
Long, Patrick  
McNamara, Richard  
Ober, Russell III  
Rhodes, Brian  
Shattuck, Gilman

Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr  
Woodbury, David

Soucy, Timothy  
Sullivan, Peter  
Williams, Carol

Spratt, Stephen  
Vail, Suzanne  
Williams, Kermit

Stroud, Kathleen  
Vaillancourt, Steve  
Winters, Joel

### MERRIMACK

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
MacKay, James  
Ratzki, Mario  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Reed, Dennis  
Schamberg, Thomas  
Wallner, Mary Jane

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
DeSimone, Debra  
Flockhart, Eileen  
Major, Norman  
O'Connor, John  
Scarlotta, Joe  
Sytek, John  
Whittemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
Dumaine, Dudley  
Heffron, Frank  
Mann, Maureen  
Packard, Sherman  
Schlachman, Donna  
Till, Mary

Briden, Steven  
Charron, Gene  
Emerson-Brown, Rebecca  
Kolodziej, Walter  
Moody, Marcia  
Pantelakos, Laura  
Sherman, Thomas  
Ward, Gerald

Burtis, Elizabeth  
Copeland, Timothy  
Fesh, Robert  
Lovejoy, Patricia  
Muns, Chris  
Sanders, Elisabeth  
St.James, Kevin  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia  
and the motion failed.

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

### REGULAR CALENDAR

**HB 131-FN-L**, relative to payment for medical services for county prisoners. **OUGHT TO PASS.** Rep. Gene P. Charron for Criminal Justice and Public Safety: This bill allows the superintendents of county correctional facilities the ability to negotiate costs by providing flexibility to negotiate better financial arrangements with hospitals. The bill addresses outpatient services. It also allows the superintendent to negotiate up to 125 percent for hospitals having a negative operating margin for the most recent year. Vote 15-3.  
Committee report adopted and referred to the Committee on Finance.

**HB 159**, requiring patriotic exercises in public schools on federal Constitution Day. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for Education: This bill, as amended, adds federal Constitution Day to RSA 189:18 which calls on all public schools to hold patriotic exercises during the week of Memorial Day and Veterans Day. Exercises related to federal Constitution Day may also recognize the New Hampshire Constitution and our civic rights and responsibilities. The patriotic exercises are to be appropriate as determined by the local school. Vote 15-4.

**Amendment (0028h)**

Amend the bill by replacing section 1 with the following:

1 School Boards, Transportation, and Instruction of Pupils; Patriotic Exercises. Amend RSA 189:18 to read as follows:

189:18 Patriotic Exercises. In all public schools of the state one session, or a portion thereof, during the weeks in which Memorial Day, *federal Constitution Day*, and Veterans Day fall, shall be devoted to exercises of a patriotic nature *which may include speakers, instruction, presentations, and other events as appropriate. Federal Constitution Day exercises may include recognition of the New Hampshire constitution as well as exercises related to our rights and responsibilities as citizens.*

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Cordelli yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 326 NAYS 29****YEAS 326****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	DiMartino, Lisa
Fields, Dennis	Fink, Charles	Flanders, Donald	Greemore, Robert Jr
Gulick, Ruth	Holmes, Stephen	Huot, David	Raymond, Ian
Tilton, Franklin	Vadney, Herbert	Worsman, Colette	

**CARROLL**

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Cordelli, Glenn	Crawford, Karel	Lavender, Tom	McConkey, Mark
Morrow, Harry	Nelson, Bill	Umberger, Karen	White, Syndi
Wright, Donald			

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Ley, Douglas	Mann, John	Parkhurst, Henry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles	Young, Harry	

**COOS**

Coulombe, Gary	Hammon, Marcia	Moynihn, Wayne	Rappaport, Laurence
Richardson, Herbert	Rideout, Leon	Theberge, Robert	Thomas, Yvonne

**GRAFTON**

Aguiar, James	Almy, Susan	Bailey, Brad	Benn, Bernard
Bradley, Lester	Cooney, Mary	Ford, Susan	Gionet, Edmond
Harding, Laurie	Higgins, Patricia	Ladd, Rick Jr	Lauer, Linda
Lovett, Sid	Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Piper, Wendy	Reilly, Harold Sr	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Belanger, James
Boehm, Ralph	Boisvert, Ronald	Burt, John	Byron, Frank
Campbell, David	Carroll, Douglas	Cebrowski, John	Chandley, Shannon
Coffey, James	Connor, Evelyn	Cote, David	Culbert, Patrick
Daniels, Gary	Danielson, David	DiSilvestro, Linda	Flanagan, Jack
Gage, Ruth	Gagne, Larry	Gale, Sylvia	Gargas, Carolyn

Gidge, Kenneth  
 Graham, John  
 Hansen, Peter  
 Hopper, Gary  
 Katsiantonis, Thomas  
 Leishman, Peter  
 MacKay, Mariellen  
 McCloskey, David  
 Nelson, Mary  
 Palangas, Eric  
 Peterson, Lenette  
 Rhodes, Brian  
 Schmidt, Janice  
 Souza, Kathleen  
 Sullivan, Daniel  
 Vail, Suzanne  
 Williams, Kermit

Goley, Jeffrey  
 Haefner, Robert  
 Harriott-Gathright, Linda  
 Jack, Martin  
 Knowles, Mary Ann  
 LeVasseur, Richard  
 Marston, Dick  
 McNamara, Richard  
 Notter, Jeanine  
 Palmer, Stephen  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Shattuck, Gilman  
 Spratt, Stephen  
 Sullivan, Peter  
 Villeneuve, Moe  
 Winters, Joel

Gorman, Mary  
 Hammond, Jill  
 Heden, Ruth  
 Jasper, Shawn  
 Lambert, George  
 Levesque, Melanie  
 Martel, Andre  
 Meaney, Richard  
 O'Brien, Michael Sr  
 Parison, James  
 Ramsey, Peter  
 Sanborn, Laurie  
 Shaw, Barbara  
 Straight, Philip  
 Sweeney, Shawn  
 Walsh, Robert Jr  
 Woodbury, David

Grady, Brenda  
 Hansberry, Daniel  
 Hikel, John  
 Katsiantonis, George  
 LeBrun, Donald  
 Long, Patrick  
 McCarthy, Michael  
 Murotake, David  
 O'Brien, William  
 Pellegrino, Tony  
 Renzullo, Andrew  
 Sandblade, Emily  
 Soucy, Timothy  
 Stroud, Kathleen  
 Ulery, Jordan  
 Williams, Carol

### MERRIMACK

Andrews, Christopher  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Kidder, David  
 McGuire, Carol  
 Ratzki, Mario  
 Rogers, Katherine  
 Turcotte, Alan  
 Watrous, Rick

Bouchard, Candace  
 Davis, Frank  
 French, Barbara  
 Hunt, Jane  
 Kotowski, Frank  
 Moffett, Howard  
 Reed, Dennis  
 Schamberg, Thomas  
 Wallner, Mary Jane  
 Webb, Leigh

Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 Lockwood, Priscilla  
 Myler, Mel  
 Rice, Chip  
 Schuett, Dianne  
 Walsh, Thomas IV

Carey, Lorrie  
 Frambach, Mary  
 Hess, David  
 Kelly, Sally  
 MacKay, James  
 Patten, Dick  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walz, Mary Beth

### ROCKINGHAM

Allen, Mary  
 Birdsall, Regina  
 Burtis, Elizabeth  
 Chirichiello, Brian  
 Devine, James  
 Emerick, J. Tracy  
 Friel, William  
 Grace, Curtis  
 Hayes, Jack  
 Itse, Daniel  
 Lovejoy, Patricia  
 McMahon, Charles  
 O'Connor, John  
 Peckham, Michele  
 Sanders, Elisabeth  
 Sherman, Thomas  
 Tasker, Kyle  
 Tucker, Pamela  
 Webb, James Sr

Andrews-Ahearn, E. Elaine  
 Bishop, Franklin  
 Cahill, Michael  
 Comerford, Timothy  
 Duarte, Joe  
 Ferrante, Beverly  
 Garcia, Bianca  
 Griffin, Mary  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Major, Norman  
 Moody, Marcia  
 Oligny, Jeffrey  
 Perkins, Amy  
 Scarlotta, Joe  
 St.James, Kevin  
 Thompson, David  
 Ward, Gerald  
 Weyler, Kenneth

Baldasaro, Alfred  
 Borden, David  
 Call-Pitts, Jacqueline  
 Copeland, Timothy  
 Dumaine, Dudley  
 Fesh, Robert  
 Garcia, Marilinda  
 Hagan, Joseph  
 Hoelzel, Kathleen  
 Khan, Aboul  
 Mann, Maureen  
 Muns, Chris  
 Packard, Sherman  
 Perkins, Lawrence  
 Schlachman, Donna  
 Sweeney, Joe  
 Till, Mary  
 Waterhouse, Kevin  
 Whittemore, Lisa

Bick, Patrick  
 Briden, Steven  
 Charron, Gene  
 DeSimone, Debra  
 Elliott, Robert  
 Flockhart, Eileen  
 Gordon, Richard  
 Harris, Jeffrey  
 Introne, Robert  
 Kolodziej, Walter  
 McKinney, Betsy  
 Nigrello, Robert  
 Pantelakos, Laura  
 Rice, Frederick  
 Sedensky, John  
 Sytek, John  
 Tremblay, Stella  
 Wazlaw, Brian

### STRAFFORD

Baber, William  
 Burdwood, Greg  
 Gray, James  
 Horrigan, Timothy  
 Malloy, Dennis

Beaudoin, Steven  
 Burke, Rachel  
 Groen, Warren  
 Hubbard, Pamela  
 Menear, H. Robert III

Bickford, David  
 Ginsburg, Philip  
 Grossman, Kenneth  
 Jones, Laura  
 Miller, David

Bixby, Peter  
 Grassie, Anne  
 Hooper, Dorothea  
 Kaen, Naida  
 Mullen, John Jr

Parsons, Robbie  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Pelletier, Marsha  
Rollo, Deanna  
Stevens, Audrey

Perry, Robert  
Schmidt, Peter  
Verschueren, James

Pitre, Joseph  
Smith, Marjorie  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Rollins, Skip

### NAYS 29

### BELKNAP

Arsenault, Beth

Sylvia, Michael

### CARROLL

Ticehurst, Susan

### CHESHIRE

Hunt, John

### COOS

None

### GRAFTON

Brown, Rebecca

Doolan, Ralph Jr

### HILLSBOROUGH

Christiansen, Lars  
Levasseur, Nickolas  
O'Flaherty, Tim  
Vaillancourt, Steve

Garcia, Michael  
Manley, Jonathan Sr  
Ober, Lynne  
Warden, Mark

Infantine, William  
Murphy, Keith  
Ober, Russell III  
Willette, Robert

Kurk, Neal  
Murphy, Kelleigh  
Rokas, Ted

### MERRIMACK

Bartlett, Christy

Henle, Paul

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick

Heffron, Frank

Schroadter, Adam

### STRAFFORD

Ketel, Stephen

### SULLIVAN

Schmidt, Andrew  
and the committee report was adopted and ordered to third reading.

**HB 106**, relative to the demand for rent and other damages, and the repeal of the landlord-agent requirement. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul S. Berch for Judiciary: Current law allows only for rent and not other charges to be demanded when in arrears or due. This bill would add late fees, utility costs and any other charges the landlord may feel is due. The bill would increase liquidated damage from \$15 to \$160 and further, remove the duty of landlords of certain residential properties from providing service of process information to the municipality where the property is located. The committee was concerned that the charges other than rent are not easily ascertained and subject to litigation, that there was no relationship between the proposed fee of \$160 and the actual amount of liquidated damages incurred. As to the requirement of providing service of process information, the committee felt this provision has materially assisted the ability to serve out-of-state landlords or landlords operating through agents and therefore should remain in place. Vote 15-5.

Rep. Groen spoke against.

Rep. Berch spoke in favor.

Rep. Jones requested a roll call; sufficiently seconded

## YEAS 214 NAYS 140

### YEAS 214

#### BELKNAP

Arsenault, Beth  
Luther, Robert

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth  
Tilton, Franklin

Huot, David

#### CARROLL

Buco, Thomas  
Morrow, Harry

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

Lavender, Tom  
White, Syndi

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

#### COOS

Coulombe, Gary  
Thomas, Yvonne

Hammon, Marcia

Moynihn, Wayne

Theberge, Robert

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Brown, Rebecca  
Higgins, Patricia  
Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew

#### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gargas, Carolyn  
Grady, Brenda  
Heden, Ruth  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Rosenwald, Cindy  
Soucy, Timothy  
Sullivan, Peter  
Williams, Carol

Barry, Richard  
Chandle, Shannon  
DiSilvestro, Linda  
Gidge, Kenneth  
Hammond, Jill  
Hopper, Gary  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Souza, Kathleen  
Vail, Suzanne  
Williams, Kermit

Beaulieu, Jane  
Christiansen, Lars  
Gage, Ruth  
Goley, Jeffrey  
Hansberry, Daniel  
Jack, Martin  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vaillancourt, Steve  
Winters, Joel

Boisvert, Ronald  
Connor, Evelyn  
Gale, Sylvia  
Gorman, Mary  
Harriott-Gathright, Linda  
Katsiantonis, George  
Levesque, Melanie  
McCloskey, David  
Palangas, Eric  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr  
Woodbury, David

#### MERRIMACK

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Burns, Scott  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Carey, Lorrie  
Frambach, Mary  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Bishop, Franklin	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Copeland, Timothy	Elliott, Robert
Emerick, J. Tracy	Fesh, Robert	Flockhart, Eileen	Hayes, Jack
Heffron, Frank	Kappler, Lawrence	Khan, Aboul	Lovejoy, Patricia
Major, Norman	Mann, Maureen	Moody, Marcia	Muns, Chris
Oigny, Jeffrey	Pantelakos, Laura	Peckham, Michele	Sanders, Elisabeth
Schlachman, Donna	Sweeney, Joe	Thompson, David	Till, Mary
Tremblay, Stella	Ward, Gerald	Whittemore, Lisa	

**STRAFFORD**

Baber, William	Bixby, Peter	Burdwood, Greg	Burke, Rachel
Ginsburg, Philip	Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Ketel, Stephen
Malloy, Dennis	Menear, H. Robert III	Miller, David	Pelletier, Marsha
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Stevens, Audrey	Verschueren, James
Wall, Janet	Ward, Kenneth		

**SULLIVAN**

Cloutier, John	Gottling, Suzanne	Grenier, James	Irwin, Virginia
Lefebvre, Benjamin	O'Heame, Andrew	Rollins, Skip	Schmidt, Andrew
Smith, Steven	Sweeney, Cynthia		

**NAYS 140****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen
Sylvia, Michael	Vadney, Herbert	Worsman, Colette	

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	McConkey, Mark
Nelson, Bill	Wright, Donald		

**CHESHIRE**

Hunt, John

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
---------------------	---------------------	---------------

**GRAFTON**

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond
Ladd, Rick Jr	Shackett, Jeffrey		

**HILLSBOROUGH**

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Carroll, Douglas	Cebrowski, John	Coffey, James	Culbert, Patrick
Daniels, Gary	Danielson, David	Flanagan, Jack	Gagne, Larry
Garcia, Michael	Graham, John	Haefner, Robert	Hansen, Peter
Hikel, John	Infantine, William	Jasper, Shawn	Katsiantonis, Thomas
Kurk, Neal	Lambert, George	LeBrun, Donald	LeVasseur, Richard
Marston, Dick	Martel, Andre	McCarthy, Michael	Meaney, Richard
Murotake, David	Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine
O'Brien, William	O'Flaherty, Tim	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Parison, James	Pellegrino, Tony	Peterson, Lenette
Renzullo, Andrew	Sanborn, Laurie	Sandblade, Emily	Straight, Philip
Stroud, Kathleen	Sweeney, Shawn	Ulery, Jordan	Villeneuve, Moe
Warden, Mark	Willette, Robert		



**MERRIMACK**

Bartlett, Christy  
McGuire, Carol

Henle, Paul  
McGuire, Dan

Hess, David  
Reed, Dennis

Kotowski, Frank  
Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Comerford, Timothy  
Dumaine, Dudley  
Garcia, Marilinda  
Hagan, Joseph  
Introne, Robert  
McMahon, Charles  
Perkins, Amy  
Schroadter, Adam  
Sytek, John  
Webb, James Sr

Allen, Mary  
Borden, David  
DeSimone, Debra  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Nigrello, Robert  
Perkins, Lawrence  
Sedensky, John  
Tucker, Pamela  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Devine, James  
Friel, William  
Grace, Curtis  
Hodgdon, Bruce  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
Sherman, Thomas  
Waterhouse, Kevin

Bick, Patrick  
Chirichiello, Brian  
Duarte, Joe  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
McKinney, Betsy  
Packard, Sherman  
Scarlotta, Joe  
St.James, Kevin  
Wazlaw, Brian

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

**SULLIVAN**

Gagnon, Raymond  
and the committee report was adopted.

**HB 107**, relative to the losing party's payment of the prevailing party's costs in tort actions. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter M. Sullivan for Judiciary: This bill would require the losing party in a tort action to pay the legal expenses incurred by the prevailing party. This would constitute a radical and unnecessary change to New Hampshire's legal process. Under current law, a party that brings a frivolous lawsuit may be ordered to pay the other side's costs. By expanding this to include any losing litigant, even one who has acted in good faith and who has a legitimate cause of action, we are creating a disincentive for aggrieved parties to seek redress and justice. Access to the judicial process should be based on the merits of a case, not on financial considerations. Vote 20-0.

Committee report adopted.

**HB 116**, relative to the powers of an executor or administrator to take control of a decedent's social networking websites. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Timothy O. Horrigan for the Majority of Judiciary: The bill deals with a rapidly evolving area of state and federal law. Online service providers generally operate under contracts which stipulate that the law in the provider's jurisdiction prevails in the case of a dispute between the provider and the customer (or the customer's estate). Those contracts can (and usually do) specify what happens when the user dies. The majority of the committee believes that this bill is premature, as well as unenforceable. Vote 13-7.

Rep. Peter M. Sullivan for the Minority of Judiciary: The rise of social networking sites such as Facebook and Twitter have created a new set of legal challenges. Unfortunately, the law has not kept pace with advances in technology. The intent of this bill is to allow the survivors of a deceased individual to assume control of that person's social media and email sites. They would then be able to use the deceased's page as an online memorial, delete the account entirely and make changes to the page if they wish to do so. The minority recognizes that there are questions as to the potential conflict of laws between New Hampshire and other jurisdictions. By retaining the bill in committee, those concerns can be addressed, without a negative House action that could preclude action in the second year of the biennium.

**LAI D ON THE TABLE**

Rep. Peter Sullivan moved that **HB 116**, relative to the powers of an executor or administrator to take control of a decedent's social networking websites, be laid on the table.

On a division vote, 222 members having voted in the affirmative and 128 in the negative, the motion was adopted.

### REGULAR CALENDAR (CONT'D)

**HB 117**, relative to driveway permits issued by the department of transportation. **INEXPEDIENT TO LEGISLATE.**

Rep. John R. Cloutier for Public Works and Highways: This bill, as written, would significantly change how the department of transportation (DOT) issues driveway or curb cut permits onto state roads under existing state statutes. The two-fold effect of the bill would be to give municipal planning boards, rather than the department, the authority to determine the location of driveways. Also, it would remove the department's current exemption from the administrative procedure act for issuing driveway permits. The committee felt that the DOT is better equipped to impartially determine engineering, sight-line and traffic considerations when it comes to issuing curb cuts on state owned roads. There would be insufficient uniformity or expertise in over 100 planning boards having jurisdiction over curb cuts on state roads. The department of transportation testified in opposition to this bill. Department officials stated that existing statutes are working well. They cited evidence that during the four year period between 2008-2012, of the total driveway permit applications submitted (3,852); over 98% of them (3,782) were approved by the department. Furthermore, only 15 denied applications went to a hearing on appeal, out of those: 12 were upheld, two overturned and one is pending. Vote 16-1.

Reps. Dan McGuire and Carey spoke against.

Rep. Franklin Tilton spoke in favor and yielded to questions.

Rep. Campbell spoke in favor.

Rep. Dan McGuire requested a roll call; sufficiently seconded.

### YEAS 273 NAYS 79

#### YEAS 273

##### BELKNAP

Arsenault, Beth  
Fields, Dennis  
Huot, David  
Vadney, Herbert

Burchell, Richard  
Flanders, Donald  
Luther, Robert  
Worsman, Colette

Cormier, Jane  
Gulick, Ruth  
Raymond, Ian

DiMartino, Lisa  
Holmes, Stephen  
Tilton, Franklin

##### CARROLL

Ahlgren, Christopher  
Crawford, Karel  
Nelson, Bill

Buco, Thomas  
Lavender, Tom  
Ticehurst, Susan

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
White, Syndi

##### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

##### COOS

Coulombe, Gary  
Rideout, Leon

Hammon, Marcia  
Theberge, Robert

Moynihan, Wayne  
Thomas, Yvonne

Richardson, Herbert

##### GRAFTON

Aguiar, James  
Brown, Rebecca  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Cooney, Mary  
Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Bailey, Brad  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Byron, Frank  
Christiansen, Lars  
Culbert, Patrick  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Hansen, Peter  
Jack, Martin  
Knowles, Mary Ann  
Levesque, Melanie  
McCarthy, Michael  
O'Brien, Michael Sr  
Porter, Marjorie  
Rosenwald, Cindy  
Soucy, Timothy  
Stroud, Kathleen  
Vaillancourt, Steve  
Williams, Kermit

Barry, Richard  
Campbell, David  
Coffey, James  
Danielson, David  
Gagne, Larry  
Goley, Jeffrey  
Haefner, Robert  
Harriott-Gathright, Linda  
Jasper, Shawn  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
Ober, Russell III  
Ramsey, Peter  
Schmidt, Janice  
Souza, Kathleen  
Sullivan, Daniel  
Walsh, Robert Jr  
Woodbury, David

Beaulieu, Jane  
Carroll, Douglas  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Katsiantonis, George  
Levasseur, Nickolas  
MacKay, Mariellen  
McNamara, Richard  
Palangas, Eric  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Sullivan, Peter  
Willette, Robert

Boisvert, Ronald  
Chandley, Shannon  
Cote, David  
Flanagan, Jack  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Infantine, William  
Katsiantonis, Thomas  
LeVasseur, Richard  
Manley, Jonathan Sr  
Nelson, Mary  
Palmer, Stephen  
Rokas, Ted  
Shaw, Barbara  
Straight, Philip  
Vail, Suzanne  
Williams, Carol

**MERRIMACK**

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidd, David  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Burns, Scott  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Reed, Dennis  
Schamberg, Thomas  
Wallner, Mary Jane

**ROCKINGHAM**

Abrami, Patrick  
Borden, David  
Charron, Gene  
Devine, James  
Fesh, Robert  
Griffin, Mary  
Khan, Aboul  
Moody, Marcia  
Oigny, Jeffrey  
Perkins, Lawrence  
Sherman, Thomas  
Thompson, David  
Wazlaw, Brian

Allen, Mary  
Briden, Steven  
Chirichiello, Brian  
Dumaine, Dudley  
Flockhart, Eileen  
Hayes, Jack  
Kolodziej, Walter  
Muns, Chris  
Packard, Sherman  
Sanders, Elisabeth  
St. James, Kevin  
Till, Mary  
Webb, James Sr

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Copeland, Timothy  
Elliott, Robert  
Friel, William  
Heffron, Frank  
Lovejoy, Patricia  
Nigrello, Robert  
Peckham, Michele  
Scarlotta, Joe  
Sweeney, Joe  
Ward, Gerald  
Whittemore, Lisa

Bick, Patrick  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Ferrante, Beverly  
Gordon, Richard  
Kappler, Lawrence  
Mann, Maureen  
O'Connor, John  
Perkins, Amy  
Schlachman, Donna  
Sytek, John  
Waterhouse, Kevin

**STRAFFORD**

Baber, William  
Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Mullen, John Jr  
Rollo, Deanna  
Stevens, Audrey

Bickford, David  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Pelletier, Marsha  
Schmidt, Peter  
Verschuere, James

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Meneer, H. Robert III  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

**NAYS 79****BELKNAP**

Comtois, Guy

Fink, Charles

Greemore, Robert Jr

Sylvia, Michael

**CARROLL**

Cordelli, Glenn

Wright, Donald

**CHESHIRE**

None

**COOS**

Rappaport, Laurence

**GRAFTON**

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

Reilly, Harold Sr

**HILLSBOROUGH**

Belanger, James  
Daniels, Gary  
Kurk, Neal  
Meaney, Richard  
Notter, Jeanine  
Parison, James  
Sanborn, Laurie  
Villeneuve, Moe

Boehm, Ralph  
Garcia, Michael  
Lambert, George  
Murotake, David  
O'Brien, William  
Pellegrino, Tony  
Sandblade, Emily  
Warden, Mark

Burt, John  
Hikel, John  
LeBrun, Donald  
Murphy, Keith  
O'Flaherty, Tim  
Peterson, Lenette  
Sweeney, Shawn  
Winters, Joel

Cebrowski, John  
Hopper, Gary  
Marston, Dick  
Murphy, Kelleigh  
Ober, Lynne  
Renzullo, Andrew  
Ulery, Jordan

**MERRIMACK**

Carey, Lorrie  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

Ratzki, Mario

**ROCKINGHAM**

Baldasaro, Alfred  
Duarte, Joe  
Grace, Curtis  
Hoelzel, Kathleen  
McKinney, Betsy  
Sedensky, John

Birdsell, Regina  
Emerick, J. Tracy  
Hagan, Joseph  
Introne, Robert  
McMahon, Charles  
Tremblay, Stella

Burtis, Elizabeth  
Garcia, Bianca  
Harris, Jeffrey  
Itse, Daniel  
Rice, Frederick  
Tucker, Pamela

Comerford, Timothy  
Garcia, Marilinda  
Hodgdon, Bruce  
Major, Norman  
Schroadter, Adam  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

**SULLIVAN**

Rollins, Skip  
and the committee report was adopted.

Smith, Steven

**BILL REMOVED FROM THE CONSENT CALENDAR**

**HB 103-FN**, reducing the penalty for violating a local vendor ordinance. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy D. Copeland for Municipal and County Government: This bill reduces the penalty phase from a class B misdemeanor to a violation offence. The original intent of the existing law was to allow local towns to help protect their residents from nefarious vendors who use door-to-door sales as a ploy to commit crimes. The protection lies in the ability of towns to develop a local

ordinance for vendors that requires a criminal record check. Presently, a vendor who has a class B misdemeanor conviction would be found out through this licensing process. If this same illegitimate vendor then attempted to ply his trade in another community and that community conducted a record check as part of the licensing process, that community would learn of his criminality and deny the license. By changing this law as proposed in this bill, violation level convictions would not be tracked and therefore, communities would not be able to learn of a criminal history by a vendor applicant. Further, this proposed change is contrary to the most recent change for RSA 31:102-a, effective Sept 11, 2010, that allows local communities to work with the state to conduct more stringent criminal record checks on vendors protecting its citizens from preying criminals. Vote 13-2.

Reps. Parison and Burt spoke against and yielded to questions.

Rep. Copeland spoke in favor and yielded to questions.

Rep. Jones requested a roll call; sufficiently seconded.

## YEAS 270 NAYS 77

### YEAS 270

#### BELKNAP

Burchell, Richard  
Flanders, Donald  
Huot, David

Cormier, Jane  
Greemore, Robert Jr  
Luther, Robert

DiMartino, Lisa  
Gulick, Ruth  
Raymond, Ian

Fields, Dennis  
Holmes, Stephen  
Tilton, Franklin

#### CARROLL

Ahlgren, Christopher  
Cordelli, Glenn  
Morrow, Harry  
Wright, Donald

Buco, Thomas  
Crawford, Karel  
Nelson, Bill

Butler, Edward  
Lavender, Tom  
Ticehurst, Susan

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Tatro, Bruce

Butynski, William  
Hunt, John  
Robertson, Timothy  
Weber, Lucy

#### COOS

Coulombe, Gary  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

Bradley, Lester  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

#### HILLSBOROUGH

Backus, Robert  
Byron, Frank  
Chandley, Shannon  
Culbert, Patrick  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Hansen, Peter  
Jasper, Shawn  
Kurk, Neal

Barry, Richard  
Campbell, David  
Christiansen, Lars  
Danielson, David  
Gagne, Larry  
Goley, Jeffrey  
Haefner, Robert  
Harriott-Gathright, Linda  
Katsiantonis, George  
Leishman, Peter

Beaulieu, Jane  
Carroll, Douglas  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Katsiantonis, Thomas  
Levasseur, Nickolas

Boisvert, Ronald  
Cebrowski, John  
Cote, David  
Flanagan, Jack  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Infantine, William  
Knowles, Mary Ann  
Levesque, Melanie

Long, Patrick  
McCarthy, Michael  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice  
Souza, Kathleen  
Sullivan, Peter  
Williams, Kermit

MacKay, Mariellen  
McCloskey, David  
Palangas, Eric  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne  
Woodbury, David

Manley, Jonathan Sr  
McNamara, Richard  
Pellegrino, Tony  
Rokas, Ted  
Shaw, Barbara  
Stroud, Kathleen  
Walsh, Robert Jr

Marston, Dick  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy  
Soucy, Timothy  
Sullivan, Daniel  
Willette, Robert

### MERRIMACK

Andrews, Christopher  
Carson, Clyde  
Frazier, June  
Hess, David  
Kelly, Sally  
MacKay, James  
Reed, Dennis  
Schuett, Dianne  
Walz, Mary Beth

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Watrous, Rick

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Turcotte, Alan  
Webb, Leigh

Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Ratzki, Mario  
Rogers, Katherine  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Briden, Steven  
Charron, Gene  
Devine, James  
Flockhart, Eileen  
Hayes, Jack  
Khan, Aboul  
Mann, Maureen  
Muns, Chris  
Packard, Sherman  
Sanders, Elisabeth  
Sherman, Thomas  
Thompson, David  
Wazlaw, Brian

Allen, Mary  
Burtis, Elizabeth  
Chirichiello, Brian  
Dumaine, Dudley  
Friel, William  
Heffron, Frank  
Kolodziej, Walter  
McKinney, Betsy  
Nigrello, Robert  
Peckham, Michele  
Scarlotto, Joe  
St.James, Kevin  
Till, Mary  
Webb, James Sr

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Copeland, Timothy  
Elliott, Robert  
Gordon, Richard  
Introne, Robert  
Lovejoy, Patricia  
McMahon, Charles  
O'Connor, John  
Perkins, Amy  
Schlachman, Donna  
Sweeney, Joe  
Ward, Gerald  
Whittemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Fesh, Robert  
Griffin, Mary  
Kappler, Lawrence  
Major, Norman  
Moody, Marcia  
Oligny, Jeffrey  
Perkins, Lawrence  
Sedensky, John  
Sytek, John  
Waterhouse, Kevin

### STRAFFORD

Baber, William  
Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Menear, H. Robert III  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Beaudoin, Steven  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Berube, Roger  
Ginsburg, Philip  
Hooper, Dorothea  
Ketel, Stephen  
Mullen, John Jr  
Rogers, Rose Marie  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Parsons, Robbie  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Rollins, Skip

### NAYS 77 BELKNAP

Arsenault, Beth  
Vadney, Herbert

Comtois, Guy  
Worsman, Colette

Fink, Charles

Sylvia, Michael

### CARROLL

White, Syndi

**CHESHIRE**

Mann, John

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad

Brown, Rebecca

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**

Belanger, James

Daniels, Gary

Jack, Martin

Meaney, Richard

Notter, Jeanine

Ober, Russell III

Renzullo, Andrew

Sweeney, Shawn

Warden, Mark

Boehm, Ralph

Garcia, Michael

Lambert, George

Murotake, David

O'Brien, William

Palmer, Stephen

Sanborn, Laurie

Ulery, Jordan

Winters, Joel

Burt, John

Hikel, John

LeBrun, Donald

Murphy, Keith

O'Flaherty, Tim

Parison, James

Sandblade, Emily

Vaillancourt, Steve

Coffey, James

Hopper, Gary

LeVasseur, Richard

Murphy, Kelleigh

Ober, Lynne

Peterson, Lenette

Straight, Philip

Villeneuve, Moe

**MERRIMACK**

Burns, Scott

Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

Schamberg, Thomas

**ROCKINGHAM**

Baldasaro, Alfred

Duarte, Joe

Hagan, Joseph

Itse, Daniel

Tremblay, Stella

Bick, Patrick

Emerick, J. Tracy

Harris, Jeffrey

Rice, Frederick

Tucker, Pamela

Birdsell, Regina

Garcia, Bianca

Hodgdon, Bruce

Schroadter, Adam

Weyler, Kenneth

Comerford, Timothy

Grace, Curtis

Hoelzel, Kathleen

Tasker, Kyle

**STRAFFORD**

Bickford, David

Groen, Warren

Jones, Laura

Pitre, Joseph

**SULLIVAN**

Smith, Steven

and the committee report was adopted.

**MOTION TO REFER PETITION TO COMMITTEE**

Rep. Itse moved that the Petition on behalf of Timothy Sanborn be referred to the Committee on Judiciary.

Rep. Gary Richardson spoke against.

Rep. Itse spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 90 NAYS 246****YEAS 90****BELKNAP**

Comtois, Guy

Holmes, Stephen

Cormier, Jane

Luther, Robert

Fink, Charles

Sylvia, Michael

Greemore, Robert Jr

Worsman, Colette

**CARROLL**

Cordelli, Glenn

Lavender, Tom

Nelson, Bill

Wright, Donald

**CHESHIRE**

Hunt, John

Johnsen, Gladys

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**

Belanger, James  
Coffey, James  
Hikel, John  
LeBrun, Donald  
Notter, Jeanine  
Peterson, Lenette  
Straight, Philip  
Warden, Mark

Boehm, Ralph  
Daniels, Gary  
Hopper, Gary  
Marston, Dick  
O'Flaherty, Tim  
Renzullo, Andrew  
Sweeney, Shawn  
Willette, Robert

Burt, John  
Gagne, Larry  
Infantine, William  
Murotake, David  
Ober, Lynne  
Sandblade, Emily  
Ulery, Jordan

Christiansen, Lars  
Garcia, Michael  
Lambert, George  
Murphy, Keith  
Parison, James  
Souza, Kathleen  
Villeneuve, Moe

**MERRIMACK**

McGuire, Carol

McGuire, Dan

Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Chirichiello, Brian  
Duarte, Joe  
Grace, Curtis  
Hoelzel, Kathleen  
McMahon, Charles  
Rice, Frederick  
Tremblay, Stella

Allen, Mary  
Comerford, Timothy  
Dumaine, Dudley  
Hagan, Joseph  
Introne, Robert  
Nigrello, Robert  
Schroadter, Adam  
Tucker, Pamela

Baldasaro, Alfred  
DeSimone, Debra  
Garcia, Bianca  
Harris, Jeffrey  
Itse, Daniel  
Oligny, Jeffrey  
Sedensky, John  
Weyler, Kenneth

Bick, Patrick  
Devine, James  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
Peckham, Michele  
Tasker, Kyle

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

**SULLIVAN**

Smith, Steven

**NAYS 246****BELKNAP**

Burchell, Richard  
Gulick, Ruth  
Vadney, Herbert

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
Crawford, Karel  
Umberger, Karen

Buco, Thomas  
McConkey, Mark  
White, Syndi

Butler, Edward  
Morrow, Harry

Chandler, Gene  
Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Sad, Tara  
Weed, Charles

**COOS**

Coulombe, Gary  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Aguiar, James  
Bradley, Lester

Almy, Susan  
Brown, Rebecca

Bailey, Brad  
Cooney, Mary

Benn, Bernard  
Ford, Susan



Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Higgins, Patricia  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Ladd, Rick Jr  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Lauer, Linda  
Pastor, Beatriz  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Byron, Frank  
Chandlee, Shannon  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Knowles, Mary Ann  
LeVasseur, Richard  
McCarthy, Michael  
Nelson, Mary  
Pellegrino, Tony  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Barry, Richard  
Campbell, David  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Jasper, Shawn  
Kurk, Neal  
Levesque, Melanie  
McCloskey, David  
O'Brien, Michael Sr  
Ramsey, Peter  
Sanborn, Laurie  
Soucy, Timothy  
Sullivan, Peter  
Winters, Joel

Beaulieu, Jane  
Carroll, Douglas  
Cote, David  
Flanagan, Jack  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Katsiantonis, George  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
Ober, Russell III  
Rhodes, Brian  
Schmidt, Janice  
Spratt, Stephen  
Vaillancourt, Steve  
Woodbury, David

Boisvert, Ronald  
Cebrowski, John  
Culbert, Patrick  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Katsiantonis, Thomas  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Murphy, Kelleigh  
Palangas, Eric  
Rokas, Ted  
Shattuck, Gilman  
Stroud, Kathleen  
Walsh, Robert Jr

### MERRIMACK

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
MacKay, James  
Reed, Dennis  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Ratzki, Mario  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

### ROCKINGHAM

Birdsell, Regina  
Cahill, Michael  
Elliott, Robert  
Friel, William  
Khan, Aboul  
Mann, Maureen  
O'Connor, John  
Sanders, Elisabeth  
St.James, Kevin  
Till, Mary  
Webb, James Sr

Borden, David  
Cali-Pitts, Jacqueline  
Emerick, J. Tracy  
Griffin, Mary  
Kolodziej, Walter  
McKinney, Betsy  
Packard, Sherman  
Scarlottio, Joe  
Sweeney, Joe  
Ward, Gerald  
Whitemore, Lisa

Briden, Steven  
Charron, Gene  
Fesh, Robert  
Hayes, Jack  
Lovejoy, Patricia  
Moody, Marcia  
Perkins, Amy  
Schlachman, Donna  
Sytek, John  
Waterhouse, Kevin

Burtis, Elizabeth  
Copeland, Timothy  
Flockhart, Eileen  
Heffron, Frank  
Major, Norman  
Muns, Chris  
Perkins, Lawrence  
Sherman, Thomas  
Thompson, David  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Mullen, John Jr  
Rollo, Deanna  
Stevens, Audrey

Berube, Roger  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rogers, Rose Marie  
Spang, Judith

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Lefebvre, Benjamin	O'Hearne, Andrew	Rollins, Skip
Sweeney, Cynthia			
and the motion failed.			
Rep. William O'Brien declared a conflict of interest and did not participate.			

**MOTION TO REFER PETITION TO COMMITTEE**

Rep. Tremblay moved that the Petition on behalf of Wade Henry be referred to the Committee on Labor, Industrial and Rehabilitative Services.

Reps. Tremblay and Baldasaro spoke in favor.

Reps. Horrigan and Gary Richardson spoke against.

Rep. Tremblay requested a roll call; sufficiently seconded.

**YEAS 93 NAYS 243****YEAS 93****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fink, Charles
Greemore, Robert Jr	Holmes, Stephen	Luther, Robert	Sylvia, Michael
Vadney, Herbert	Worsman, Colette		

**CARROLL**

Cordelli, Glenn	Crawford, Karel	Wright, Donald
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**CHESHIRE**

Hunt, John
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**COOS**

Coulombe, Gary	Rappaport, Laurence	Rideout, Leon
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**GRAFTON**

Bradley, Lester	Doolan, Ralph Jr	Reilly, Harold Sr
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**HILLSBOROUGH**

Belanger, James	Boehm, Ralph	Burt, John	Cebrowski, John
Christiansen, Lars	Coffey, James	Daniels, Gary	Gagne, Larry
Garcia, Michael	Hikel, John	Hopper, Gary	Infantine, William
LeBrun, Donald	Marston, Dick	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	O'Flaherty, Tim	Pellegrino, Tony
Peterson, Lenette	Renzullo, Andrew	Sandblade, Emily	Shaw, Barbara
Souza, Kathleen	Straight, Philip	Sweeney, Shawn	Ulery, Jordan
Villeneuve, Moe	Willette, Robert		

**MERRIMACK**

McGuire, Dan	Reed, Dennis	Walsh, Thomas IV
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**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Bick, Patrick	Birdsell, Regina
Chirichiello, Brian	Comerford, Timothy	Devine, James	Duarte, Joe
Dumaine, Dudley	Gordon, Richard	Grace, Curtis	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	McKinney, Betsy	McMahon, Charles	Nigrello, Robert
Oligny, Jeffrey	Peckham, Michele	Perkins, Amy	Perkins, Lawrence
Rice, Frederick	Schroadter, Adam	Sedensky, John	Tasker, Kyle
Tremblay, Stella	Tucker, Pamela	Webb, James Sr	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Horrigan, Timothy

**SULLIVAN**

Smith, Steven

**NAYS 243****BELKNAP**

Arsenault, Beth  
Gulick, Ruth

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
Ticehurst, Susan

Buco, Thomas  
McConkey, Mark  
Umberger, Karen

Butler, Edward  
Morrow, Harry  
White, Syndi

Chandler, Gene  
Nelson, Bill

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Mann, John  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Tatro, Bruce

Butynski, William  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

**COOS**

Hammon, Marcia  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Theberge, Robert

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Bailey, Brad  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Gionet, Edmond  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Byron, Frank  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Jasper, Shawn  
Kurk, Neal  
Levesque, Melanie  
McCarthy, Michael  
Nelson, Mary  
Palangas, Eric  
Rhodes, Brian  
Schmidt, Janice  
Stroud, Kathleen  
Vaillancourt, Steve  
Woodbury, David

Barry, Richard  
Campbell, David  
Cote, David  
Flanagan, Jack  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Katsiantonis, George  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
O'Brien, Michael Sr  
Parison, James  
Rokas, Ted  
Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
Culbert, Patrick  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Katsiantonis, Thomas  
Levasseur, Nickolas  
MacKay, Mariellen  
McNamara, Richard  
Ober, Lynne  
Porter, Marjorie  
Rosenwald, Cindy  
Soucy, Timothy  
Sullivan, Peter  
Williams, Kermit

Boisvert, Ronald  
Chandlee, Shannon  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murphy, Kelleigh  
Ober, Russell III  
Ramsey, Peter  
Sanborn, Laurie  
Spratt, Stephen  
Vail, Suzanne  
Winters, Joel

**MERRIMACK**

Bartlett, Christy  
Carson, Clyde

Bouchard, Candace  
Davis, Frank

Burns, Scott  
Ebel, Karen

Carey, Lorrie  
Frambach, Mary

Frazer, June  
Hess, David  
Kelly, Sally  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Walz, Mary Beth

French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
McGuire, Carol  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Myler, Mel  
Schamberg, Thomas  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Cahill, Michael  
DeSimone, Debra  
Flockhart, Eileen  
Hayes, Jack  
Lovejoy, Patricia  
Muns, Chris  
Schlachman, Donna  
Sytek, John  
Waterhouse, Kevin

Borden, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Friel, William  
Heffron, Frank  
Major, Norman  
Packard, Sherman  
Sherman, Thomas  
Thompson, David  
Wazlaw, Brian

Briden, Steven  
Charron, Gene  
Emerick, J. Tracy  
Griffin, Mary  
Khan, Aboul  
Mann, Maureen  
Sanders, Elisabeth  
St.James, Kevin  
Till, Mary  
Whittemore, Lisa

Burtis, Elizabeth  
Copeland, Timothy  
Fesh, Robert  
Hagan, Joseph  
Kolodziej, Walter  
Moody, Marcia  
Scarlotta, Joe  
Sweeney, Joe  
Ward, Gerald

### STRAFFORD

Baber, William  
Burdwood, Greg  
Grossman, Kenneth  
Ketel, Stephen  
Mullen, John Jr  
Rollo, Deanna  
Stevens, Audrey

Berube, Roger  
Burke, Rachel  
Hooper, Dorothea  
Malloy, Dennis  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Bickford, David  
Ginsburg, Philip  
Hubbard, Pamela  
Menear, H. Robert III  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Kaen, Naida  
Miller, David  
Rogers, Rose Marie  
Spang, Judith

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia  
and the motion failed.

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Rollins, Skip

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, February 6, 2013 at 10:00 a.m.  
Adopted.

### LATE SESSION

#### Third reading and final passage

**HB 165**, establishing a committee to study the use of the sex offender registry.

**HB 167**, relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.

**HB 160**, relative to a school district's transportation responsibility for pupils of divorced parents with joint decision making responsibility.

**HB 232**, relative to the membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment.

**HB 236**, relative to membership of the council on autism spectrum disorders.

**HB 113**, relative to lot access for erection of buildings.

**HB 115**, relative to the procedure for filling a vacancy on a cooperative school district budget committee.

**HB 126-L**, relative to use of revolving funds by towns for maintaining recycling programs.

**HB 111**, relative to the acquisition of property rights at Akers Pond dam in the town of Errol by the fish and game department and the acquisition of property rights at Northwood Lake dam in the town of Epsom and Hermit Lake dam in the town of Sanbornton by the department of environmental services.

**HB 112-FN**, relative to reclamation trust funds.

**HB 159**, requiring patriotic exercises in public schools on federal Constitution Day.

### UNANIMOUS CONSENT

Rep. Boehm addressed the House.

### MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Boehm be printed in the Permanent Journal. Adopted.

### REMARKS

**Rep. Boehm:** Thank you, Madam Speaker. Thank you, fellow Representatives. This past August, former State Representative Leon Calawa, Jr., died after an extended illness. Myself and his friends called him "Jimmy." He was born in Nashua on February 16, 1929, raised in Litchfield and he was also a veteran of the United States Navy. He was a well-known real estate developer in Litchfield and Londonderry, having extensive property holdings in those towns. He was a founding partner of the Passaconaway Country Club in Litchfield and from what I have heard, an avid golfer. One hears the term, "Town Father." Leon Calawa fits that description. For many years, Leon served on the Litchfield School Board. He was chairman of the committee for the relocation refurbishment of the Old Town Hall in Litchfield and now the Litchfield Historical Society Building. He also served for many years as the fire chief for the town. He was an instrumental force behind the construction of the Litchfield Fire Station in 1957, which by the way is still the town's only fire station. He generously donated his time, building materials and paid his construction crews to help erect the building. We don't see that happening too much anymore. The population of Litchfield then was about 500 and is now about 8500. I remember one time he remarked that when he was a young man, young child, while sitting on his front porch on a Sunday afternoon on 3A and when the occasion of a car went by, he knew who was a resident and who wasn't. You can't do that anymore. Leon Calawa served for many years as Litchfield's representative to the N. H. State Legislature. For many years he served as the Vice Chair of the Public Works Committee. He also played a leadership role in the rehabilitation of both state and county buildings, in particular the Walker Building in Concord and the state buildings on Pleasant Street. He was recognized by the New Hampshire Chapter of the American Institute of Architects and by the New Hampshire Preservation Alliance for his role in saving many historic New Hampshire buildings. I first met Jimmy when I was a selectman in the 1980's and he was always a gentleman. I never heard him raise his voice or show anger and this was attested by all who knew him. I campaigned with him three times running for State Rep in 2002, 2004 and 2006. The one time where I noticed he was upset was redistricting that did away with Litchfield's House seats in 2002. We lost in 2002 and 2006, but succeeded in 2004 as the bigger towns that were redistricted took all of our seats. At least before he passed away, we had received the representation back. So hopefully he took solace in that. If you are ever in Litchfield playing golf at Passaconaway or in the State House and things aren't going your way, remember to keep your cool like Jimmy Calawa always did. Thank you.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Litchfield, the Honorable Leon C. Calawa, Jr.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages. Adopted.

The House recessed at 3:50 p.m.

### RECESS

**(Rep. Bouchard in the Chair)**

**RESOLUTION**

Rep. Kaen offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 1 and 40 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.  
Adopted.

**INTRODUCTION OF SENATE BILLS**

**First, second reading and referral**

**SB 1-FN-A**, increasing the research and development tax credit against the business profits tax.  
(Ways and Means)

**SB 40-FN-L**, relative to distribution of education funds for fiscal year 2013. (Finance)

**RECESS**

**(Speaker Norelli in the Chair)**

Rep. Kaen moved that the House adjourn.  
Adopted.

## HOUSE JOURNAL No. 5

Wednesday, February 6, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Reverend Canon Charles LaFond, Canon for Congregational Life of the Episcopal Diocese of New Hampshire.

Blessed are You Lord God of the Universe for You give us life and a calling to change the world. Give us the wisdom which comes from stillness so that when we speak, it is true, it is kind and it improves on the silence. Help us to see the underlying insecurities on those whose speech is mean, loud or sneaky. Give us grace to lead out of a mission for the wellness of New Hampshire and not the advancement of our person. And help us to see where You are showing up, be it as justice, kindness or mischievousness. Amen.

Representative Patrick Long, member from Manchester, led the Pledge of Allegiance.

Representative Mary Griffin, member from Windham, led the singing of the National Anthem.

### LEAVES OF ABSENCE

Reps. Bishop, Booras, Burke, Danais, Elliott, Michael Garcia, Grace, Hackel, Henle, Kopka, Pelletier, Amy Perkins, Pratt, Stroud, Joy Tilton and Carol Williams, the day, illness.

Reps. Azarian, Richard Eaton, Flanagan, Gidge, Hayes, Irwin, Nickolas Levasseur, McNamara, Priestley and Spainhower, the day, important business.

Rep. Lawrence Perkins, the day, illness in the family.

### INTRODUCTION OF GUESTS

Pat Davis, Jim Lottero and Mark Boisselier, wife, stepson and guest of Rep. Davis. Emerson Hayden Brown, Nancy Emerson, Betsy Pearl, Anna Guth and the Honorable Chris Serlin, former member from Portsmouth, son, mother and guests of Rep. Emerson-Brown. Fourth Graders at New Franklin Elementary School, guests of the Portsmouth delegation. Bernt Johansen, guest of Rep. Weed. Claire and Timothy Shurtleff, sister and brother of Rep. Shurtleff.

Morgan Drew and Jacob Miller, students at Victory High School in Jaffrey, Pages for the day.

### MOTION TO VACATE

Rep. Weber moved that the House vacate the reference of **HB 678-FN-A-L**, relative to games of chance and establishing a gaming oversight authority and video lottery gaming, to the Committee on Executive Departments and Administration.

Adopted.

The Speaker referred **HB 678-FN-A-L** to the Committee on Ways and Means.

### MOTION TO VACATE

Rep. Porter moved that the House vacate the reference of **HB 669-FN-L**, relative to nonpayment of property taxes on current use land, to the Committee on Municipal and County Government.

Adopted.

The Speaker referred **HB 669-FN-L** to the Committee on Environment and Agriculture.

### CONSENT CALENDAR

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 140**, relative to the committee on legislator orientation, removed by Rep. Gary Richardson.

**HB 136-L**, relative to compensation for attendance at meetings of the county convention, removed by Rep. Winters.

**HB 191**, relative to conformity of governmental land uses to land use regulations, removed by Rep. Porter.

Consent Calendar adopted.

Rep. Moffett declared a conflict of interest on **HB 252** and did not participate in the vote on the Consent Calendar.

**HB 177**, relative to licensing requirements for homestead food. **OUGHT TO PASS.**

Rep. Guy Comtois for Environment and Agriculture: HB 177 makes a small correction to Chapter 163, Laws of 2012. It created an exempt status for certain small homestead food operations and also required labeling that read "This product is exempt from New Hampshire licensing and inspection." Unfortunately, because of the wording in the statute, the homestead kitchens that were licensed were also required to label their products as exempt. HB 177 simply says that a non-exempt homestead food operation's labeling must read "This product is made in a residential kitchen licensed by the NH department of health and human services." Vote 18-0.

**HB 155**, relative to the use of open source software by state agencies; including the department of information technology in the uniform electronic transactions act; and repealing the information practices act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne E. Schuett for Executive Departments and Administration: This bill has three parts. First, it amends definitions in RSA 21-R. Open data format is defined as, "the organization of digital data within a computer file in a manner that makes it accessible for all to implement and use in perpetuity." And, it makes minor changes to the definition of open source software. Second, since the department of information technology (DOIT) no longer falls under the department of administrative services (DAS) the bill amended RSA 294 to clarify that DOIT must consult with DAS and the secretary of state with regard to creation, retention, acceptance, distribution and interoperability of electronic records. The amendment to the bill makes the order of those consultations consistent. The bill also repeals RSA 7-A, relative to the information practices act, which is outdated. Vote 19-0.

#### Amendment (0065h)

Amend the bill by replacing sections 4 and 5 with the following:

4 Creation and Retention of Electronic Records and Conversion of Written Records by Governmental Agencies. Amend RSA 294-E:17 to read as follows:

294-E:17 Creation and Retention of Electronic Records and Conversion of Written Records by Governmental Agencies. The department of [~~administrative services~~] **information technology**, in cooperation with the secretary of state **and the department of administrative services**, shall determine whether, and the extent to which, a governmental agency will create and retain electronic records and convert written records to electronic records.

5 Acceptance and Distribution of Electronic Records by Governmental Agencies. Amend RSA 294-E:18, I and the introductory paragraph of RSA 294-E:18, II to read as follows:

I. Except as otherwise provided in RSA 294-E:12, VI, ~~the~~ department of [~~administrative services~~] **information technology**, in cooperation with the secretary of state **and the department of administrative services**, shall determine whether, and the extent to which, a governmental agency will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

II. To the extent that a governmental agency uses electronic records and electronic signatures under paragraph I, the department of [~~administrative services~~] **information technology**, in cooperation with the secretary of state **and the department of administrative services**, giving due consideration to security, may specify:

Referred to the Committee on Finance.

**HB 186**, relative to the authority of the department of state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P. Goley for Executive Departments and Administration: This bill supports the secretary of state in the administration of his constitutional responsibilities by removing the constitutional responsibilities from the definition of "department" in RSA 9:1. This change limits the influence of another agency or executive order from interfering with the secretary of state in conducting constitutional duties. The constitutional duties are only the supervising of elections and the archiving of state records. Passage of the bill would allow the prompt hiring of election workers necessary to deal with recounts and other functions. This bill does not exempt the Secretary of State from the normal budgeting process. Vote 19-0.



**Amendment (0055h)**

Amend the bill by replacing section 1 with the following:

1 Definition of Department. Amend RSA 9:1 to read as follows:

9:1 Terms Used. In this chapter, the term “department” or “establishment” means any executive department, commission, board, institution, bureau, office, or other agency of the state government, by whatever name called, other than the legislature, *the department of state in the execution of the constitutional duties of the office of the secretary of state*, and the state judicial branch, that uses, expends or receives any state funds; the term “state funds” means any and all moneys appropriated by the legislature, or money collected by or for the state, or any agency thereof, pursuant to authority granted in any of its laws; the term “budget” means the budget document by this chapter required to be transmitted to the legislature; the term “stakeholder” means a person and/or group which can affect or is affected by the development, design, and/or development of information technology systems.

**HB 190**, relative to professional misconduct of dental hygienists. **OUGHT TO PASS.**

Rep. Mary S. Nelson for Executive Departments and Administration: This bill amends the statute on the professional misconduct section of dentist and dentistry. It adds the practice of dental hygiene and the Code of Ethics of the American Dental Hygienists’ Association. HB 190 was requested by the board of dentistry and supported by a representative of the dental hygienist association (NH). Vote 17-1.

**HB 216**, relative to the use of the title “fire marshal.” **OUGHT TO PASS.**

Rep. Daniel J. Sullivan for Executive Departments and Administration: This bill repeals a law set to take effect on July 1, 2013, which would have limited the title of “Fire Marshal” to the State Fire Marshal. Without repeal, many local communities currently using the title of Fire Marshall would have to incur costs to remove the title from their organization. Vote 19-0.

**HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill recognizes some of the efficiency improvements made in the department of revenue administration recently. They have re-engineered their processes, implemented new technology, cross-trained the people working in these divisions and thus improved service to municipalities and taxpayers while going from 43 to 28 positions. The committee amendment abolishes the vacant director’s position by position number, since the committee has learned that merely deleting the statutory authority for a position does not actually eliminate it. The assistant director and other positions were abolished in HB 2, Chapter 224, Laws of 2011. Vote 18-0.

**Amendment (0094h)**

Amend the bill by inserting after section 7 the following and renumbering the original section 8 to read as 9:

8 Position Abolished. Position number 41797, director of municipal services, is abolished. Referred to the Committee on Finance.

**HB 254-FN-A**, abolishing certain positions in the liquor commission. **OUGHT TO PASS.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill simply abolishes three duplicative positions in the state liquor commission. As part of the liquor modernization act (included in HB 2, 2009), the three main department heads were converted from classified “chief” to unclassified “director” positions. Due to turmoil in the commission, it was not until 2012 that the final establishment of the director positions was completed with SB 234 and the classified positions were maintained in parallel with the unclassified positions. This bill completes the process by abolishing the classified positions. Vote 19-0. Referred to the Committee on Finance.

**HB 285**, restoring the authorization of the division of emergency services and communications and the division of fire standards and training and emergency medical services to make transfers from their respective funds in cases of unanticipated contingencies. **INEXPEDIENT TO LEGISLATE.** Rep. Daniel A. Eaton for Finance: The issues raised in this bill may have repercussions in other parts of the department of safety budget. It would be better to look at these issues in the totality of the budget review at the Finance committee. The issues will not be forgotten, but should not be singled out in this way. They will be considered in the budget process. Therefore the bill is not needed. Vote 24-0.

**HB 205**, relative to the identification of dental prosthetic and orthodontic appliances. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs: The bill would require dentists to mark all dental prosthetic and orthodontic appliances with the name of the patient. It was introduced to address concerns about identification of the wearers of dental appliances such as dentures and retainers for the purpose of recovery of lost appliances and forensic identification of the wearer of the devices. Experts in the field, including the NH Dental Society and several orthodontists and dentists agreed that orthodontic appliances could not be reasonably marked with the wearer's name. In terms of identification of dentures, concerns were raised that this was better addressed as a best practice within the profession. Other concerns about the bill included the reliance in the legislation on technology that could become obsolete, the cost of the program, the additional record keeping required and privacy issues. However, the committee agreed with the sponsors as to the utility of identification on dentures and will write a letter to the Dental Society urging them to promote this as a best practice. Vote 16-0.

**HB 261-FN**, relative to the assistance program for 2-parent families with dependent children. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill proposes reinstating the Unemployed Parent Program in DHHS. This program was eliminated in 2011 impacting 562 children of parents who were unemployed or underemployed. The average length of stay on this program for a family was 4 months and the grants ranged from \$675/month for a family of two to \$798/month for a family of three. The funding made available through this program has been used to pay rent, utilities, learning a language, child care while a parent was in school or training for a new career. The cuts to this program have resulted in down shifting support for these families to the welfare departments in our cities and towns. The amended version of HB 261 states that DHHS "may" re-establish the program "subject to available public and, or private funds." The amendment also guides the department in accepting private monies. The committee sees significant value in this program and will make that case to the Finance committee. Vote 16-0.

**Amendment (0119h)**

Amend RSA 167:77-e as inserted by section 1 of the bill by replacing it with the following:

167:77-e Assistance Program for 2-Parent Families with Dependent Children.

**I. Subject to available public and/or private funds**, the department may establish a non-TANF[~~state-funded~~] financial assistance program for 2-parent needy families with dependent children in which one parent is underemployed or unemployed. With the exception of parental underemployment or unemployment, client eligibility and program requirements and administration shall be in accordance with this chapter and the rules adopted under this chapter.

**II. There is hereby established the non-TANF financial assistance program fund. The fund shall contain all private funds received by the department to be used to carry out the provisions of this section. The fund shall be nonlapsing and shall be continually appropriated to the commissioner for the purposes of this section.**

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Subparagraph; State Treasurer Accounts; Non-TANF Financial Assistance Program Fund.

Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) Moneys deposited in the non-TANF financial assistance program fund under RSA 167:77-e, II.

**AMENDED ANALYSIS**

This bill permits the department of health and human services to establish an assistance program for 2-parent families with dependent children, subject to available funding.

**HB 279**, establishing a pilot program for New Hampshire citizen emergency response teams. **INEXPEDIENT TO LEGISLATE.**

Rep. Donald L. LeBrun for Health, Human Services and Elderly Affairs: In the opinion of the committee, HB 279 does not establish a need for additional emergency response teams. Homeland Security already has programs in place to address this issue. This bill adds nothing to those programs. Therefore, HB 279 is deemed to be unnecessary. We also heard from various organizations as to how this issue of response teams is currently administered and we believe New Hampshire is addressing it in a more than efficient manor. Vote 16-0.

**HB 123**, relative to the limitation of liability for negligence regarding firefighters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for Judiciary: The so-called “firemen’s rule” originated in common law and was codified by statute as RSA 507:8-h. The rule limited the right of public safety officers to recover civil damages for injuries received while responding to emergencies under the theory that those officers, in choosing those occupations, had assumed certain risks not assumed by others. A recent New Hampshire Supreme Court case interpreted RSA 507:8-h more to the benefit of an injured firefighter than the sponsors thought appropriate. The bill, as originally presented in the view of the committee, unduly restricted the right to sue. The amendment preserves the “firemen’s rule” as originally conceived and understood by preserving the right to sue for causes of action not directly sprung from the particular emergency encountered. This bill, as amended, is agreeable to the sponsors, the insurance industry and the public safety officer community. Vote 16-0.

**Amendment (0102h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the limitation of liability for negligence regarding public safety officers.

Amend the bill by replacing section 1 with the following:

1 Fireman’s Rule. Amend RSA 507:8-h, I to read as follows:

I.(a) Firefighters, emergency medical technicians (E.M.T.’s), police officers and other public safety officers shall have no cause of action for injuries arising from negligent conduct [~~which created the particular occasion for the officer’s official engagement. However;~~] *of the person or persons requiring the officer’s services, which were incurred during the performance of duties incidental to and inherent in the officer’s official engagement.*

(b) This section does not affect such officer’s causes of action for unrelated negligent conduct occurring during the officer’s official engagement, or for other negligent conduct, or for reckless, wanton or willful acts of misconduct.

**AMENDED ANALYSIS**

This bill extends the limitation of liability for negligence to claims for injury caused by the negligent conduct of the person or persons requiring the services of a public safety officer, which were incurred during the performance of the officer’s official duties.

**HB 210**, relative to the procedure for eviction from a manufactured housing park. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick H. Watrous for Judiciary: This bill shortens the notice required for eviction from a manufactured housing park. The bill also limits the number of times a tenant of the park can defeat an eviction action by paying the rent and other arrearages. The majority of the committee believes that reducing the current 18-month eviction notice for condemnation to 60-days notice is unreasonable. Many tenants own manufactured housing, sometimes referred to as mobile homes. It is time consuming and difficult to find a new location to which their home can be moved. Some of the homes can no longer be moved because of their age. It was also pointed out that sometimes the park is condemned through no fault of the tenants themselves. The majority believe that when people’s homes are at stake, they deserve the adequate notice of the existing law. Vote 16-1.

**HB 211**, relative to service of demand for rent and eviction notice. **OUGHT TO PASS.**

Rep. David Woodbury for Judiciary: This bill reduces the burden on a landlord of commercial premises of serving notices to quit or demands for rent on the Secretary of State as well as by certified mail. Under this bill, the process of serving notice is both simplified and made more expeditious without any detriment to the right of the tenant to receive proper and timely notice. Vote 16-0.

**HB 147-FN**, establishing a formula for reimbursing municipalities for assessment expenses. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Bickford for Municipal and County Government: The amendment removes the duty of the assessing standards board to study and recommend to the legislature whether municipalities should be reimbursed for expenses incurred as a result of changes in assessment practices and to recommend a formula. It was discovered there is no formula that will work effectively. Vote 17-0.

**Amendment (0044h)**

Amend the title of the bill by replacing it with the following:

AN ACT repealing a duty of the assessing standards board concerning municipal reimbursement for the cost of assessments.

Amend the bill by replacing all after the enacting clause with the following:

1 Repeal. RSA 21-J:11-a, III, relative to the assessing standards board recommendation for municipal reimbursement of the cost of assessments, is repealed.

2 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill repeals a requirement that the assessing standards board recommend a formula for municipal reimbursement of assessing costs.

Referred to the Committee on Finance.

**HB 176**, allowing towns and cities to grant a part year veterans credit during the year of acquisition of property. **INEXPEDIENT TO LEGISLATE.**

Rep. David A. Bickford for Municipal and County Government: The bill, if enacted, would cause complications for towns to administer. Of special concern to the committee are people who already have a credit in one town and then move to another. The NH municipal association also said there would be software issues to deal with as well. Vote 16-0.

**HB 181**, repealing the equalization standards board. **OUGHT TO PASS.**

Rep. Kathleen M. Stroud for Municipal and County Government: This bill repeals a law that sets up a committee that no longer exists. This equalization standards board was merged with the assessing board per HB 2, Chapter 224, Laws of 2011. Vote 16-0.

**HB 203**, relative to workers' compensation coverage for contractors on state projects. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways: This bill, as amended, clarifies a provision of existing law on workers' compensation. Currently, owner-operator truck drivers are not required to have workers' compensation. In a conflict with this provision is the requirement that the same drivers have this coverage if working on, or delivering materials to, a state project. The bill would bring the two provisions into harmony. The amendment also extends this same clarification to owner-operators conducting work for the state forester on state-owned lands. Vote 19-0.

#### Amendment (0103h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to workers' compensation coverage for contractors on state projects and state land timber sales.

Amend the bill by replacing sections 1 and 2 with the following:

1 State Transportation Projects; Workers' Compensation. Amend the introductory paragraph of RSA 228:4-b, I to read as follows:

I. Prior to any work being done by an individual contractor on any state transportation project carried out under this subdivision, such contractor, including all subcontractors and independent contractors, working on a highway, bridge, or other construction, reconstruction, alteration, or maintenance project, excluding routine maintenance operations conducted utilizing the contract rental agreement process, and excluding **all owner-operator truck drivers and** deliveries to and removals from a project administered by the department shall provide to the commissioner of transportation:

2 Major Projects; Workers' Compensation. Amend the introductory paragraph of RSA 21-I:80, VI(a) to read as follows:

VI.(a) Prior to any work being done by an individual contractor on any major project under this section, such contractor, including all subcontractors and independent contractors, excluding **all owner-operator truck drivers and** deliveries to and removals from a project administered by the department, shall provide to the commissioner of administrative services:

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Section; State Land Timber Sales; Workers' Compensation. Amend RSA 227-J by inserting after section 15 the following new section:

227-J:16 State Land Timber Sales; Workers' Compensation. Prior to any work being done by an individual purchaser on a timber sale administered by the department of resources and economic development, such contractor, including all subcontractors and independent contractors, excluding

all owner-operator truck drivers and deliveries to and removals from a project administered by the department, shall provide to the director of the division of forests and lands, a certificate of insurance of his or her current workers' compensation coverage in New Hampshire for the classification of work to be completed on the project.

### AMENDED ANALYSIS

This bill clarifies certain workers' compensation procedures relating to state projects and state land timber sales.

Referred to the Committee on Labor, Industrial and Rehabilitative Services.

**HB 221**, relative to the duty of the long range capital planning and utilization committee. **OUGHT TO PASS.**

Rep. John A. Graham for Public Works and Highways: RSA 17-M:2 lists the powers and duties of the long range capital planning and utilization committee. One of the duties currently listed in the statute is to oversee the implementation of the "Master Plan for the New Hampshire Hospital Campus" dated October 31, 1994. The General Court redid this redevelopment plan in 2004 and, therefore, any reference to a plan from the 1990s is no longer relevant. The bill simply deletes the section of RSA 17-M:2 that references the 1994 plan. Vote 19-0.

**HB 184-FN**, relative to the oil discharge cleanup fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Leigh A. Webb for Resources, Recreation and Development: This bill addresses two areas. First, it amends RSA 146-F:2, II to define "motor oil storage facility" to mean a location of storage tanks with a combined capacity not to exceed 45,000 gallons. This measure will insure that motor oil discharge cleanup funds will only be used to address releases from the smaller storage facilities and not those facilities with a potential for catastrophic release which, if still eligible for these funds, would literally deplete the cleanup fund. It is important to note that the larger companies normally carry insurance to cover spills and were agreeable to this change in the existing law. Secondly, as a housekeeping measure and to insure consistency in existing policy, the amendment corrects a typographical error to identify RSA 146-D:3 III as being amended thereby authorizing the Oil Fund Disbursement Board, when requests are brought before it, to waive penalties and interest if the Board deems circumstances warrant such action. It further makes RSA 146-D:5, I(f) consistent with the aforementioned. Vote 15-0.

### Amendment (0074h)

Amend the bill by replacing all after section 1 with the following:

2 Fund Established; Collection. Amend RSA 146-D:3, III to read as follows:

III. The fee provided for in this section shall be collected by agents of the department of safety, in the same manner as provided for in RSA 260:38. Such funds shall be deposited in the oil discharge and disposal cleanup fund established under this chapter. Any person who fails to obtain a license, file a report, or pay the fees established in this chapter shall be subject to the penalties and interest described in RSA 146-A:11-b. The board, pursuant to rules adopted under RSA 146-D:5, may waive all or any portion of such penalties *or interest*, for good cause.

3 Waiver of Penalties and Interest. Amend RSA 146-F:3, II to read as follows:

II. A fee of \$.04 per gallon of motor oil shall be assessed at the time of importation into this state. Persons licensed under RSA 146-A:11-b, II shall be liable for payment of this additional fee which shall be collected and enforced by the department of safety in the manner described in RSA 146-A:11-b. *Pursuant to rules adopted under RSA 146-D:5*, the oil fund disbursement board may waive all or any portion of penalties or interest for good cause. All fee revenues shall be deposited in the motor oil discharge cleanup fund. If the fund's balance becomes greater than \$1,000,000, the assessment of fees shall be discontinued and only reestablished when the fund's balance is less than \$600,000.

4 Rulemaking. Amend RSA 146-D:5, I(f) to read as follows:

(f) Waiver of penalties *or interest* due or past due under RSA 146-D:3, III *and RSA 146-F:3, II*.

5 Effective Date. This act shall take effect July 1, 2013.

### AMENDED ANALYSIS

This bill adds a motor oil discharge cleanup fund coverage limitation based on facility storage capacity.

This bill also allows for the waiver of interest by the oil fund disbursement board for good cause.

This bill is a request of the oil fund disbursement board.

Referred to the Committee on Ways and Means.

**HB 137**, relative to special number plates for members of the national guard. **OUGHT TO PASS.** Rep. John A. Hikel for Transportation: It is very common for a New Hampshire resident to belong to another state national guard and request to display a New Hampshire guard plate on their New Hampshire registered vehicle. The guardsmen would like to display a guard plate on their vehicle, but can't because the state they are affiliated with is outside of New Hampshire. This will allow every guard member to display a plate of the state in which they reside. The amendment allows retired members of the guard of any state to have a specialty plate. Vote 14-0.

**HB 145-FN**, authorizing multi-use number plates. **INEXPEDIENT TO LEGISLATE.**

Rep. Thomas C. Walsh for Transportation: After lengthy discussion and recognizing the work and time put into this bill, the committee still had concerns. Only 501c-3 organizations were allowed to participate, and which ones, were undetermined. Also, none of the fee would go to the organization. Finally, with such a high bar set (1000 plates at \$50 each), participation was not guaranteed, despite a set-up cost of \$91,800 which would have been incurred regardless. Vote 13-1.

**HB 162**, relative to the scope of the New Hampshire rail transit authority. **INEXPEDIENT TO LEGISLATE.**

Rep. John A. Hikel for Transportation: The sponsor and the chair of the New Hampshire rail transit authority asked the committee to ITL this bill because it is premature at this time. Vote 14-0.

**HB 163**, relative to special number plates for disabled veterans. **OUGHT TO PASS.**

Rep. Michael B. O'Brien for Transportation: This bill will allow a disabled veteran to choose a plate with the international handicap symbol or the traditional veteran plate. This allows our disabled veterans a choice and if they choose a regular veteran's plate they may use their handicap mirror placard to identify this disability. Vote 14-0.

**HB 174**, prohibiting the use of motor vehicle records for any federal identification database. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael B. O'Brien for Transportation: New Hampshire has a long tradition of protecting personal information, insuring the privacy of our residents. This bill further protects any personal identifiable information from the state DMV to the federal government or agency using that information enhancing a federal identification database. The amendment clarifies the language of the bill to allow law enforcement to continue to access the federal database for law enforcement purposes on a case-by-case basis. Vote 14-0.

#### Amendment (0079h)

Amend the title of the bill by replacing it with the following:

AN ACT prohibiting the department of safety from providing motor vehicle records for the purpose of creating or enhancing a federal identification database.

Amend the bill by replacing section 1 with the following:

1 New Section; Provision for Federal Identification Database Prohibited. Amend RSA 260 by inserting after section 14 the following new section:

260:14-a Provision for Federal Identification Database Prohibited. The department shall not provide a complete, or substantially complete or mirrored, extract of motor vehicle records that contain personally identifiable information from any file or database to the federal government or to any agent or agency of, or contractor engaged by, the federal government for the purpose of creating or enhancing a federal identification database.

#### AMENDED ANALYSIS

This bill prohibits the department of safety from providing motor vehicle records for the purpose of creating or enhancing a federal identification database.

**HB 194**, relative to collection of permit fees paid with insufficient fund checks. **OUGHT TO PASS.**

Rep. Brian D. Rhodes for Transportation: RSA 261:156 is intended to help municipalities recover funds from citizens that draw checks on insufficient funds. To accomplish this goal, it allows DMV to suspend the specific registration that was paid for with the bad check. While this approach provides

some relief to municipalities, it has a major loophole. A citizen can switch cars and register the new vehicle, possibly bouncing a second check to the town. This bill offers a solution to this loophole by allowing the privilege to register vehicles to be suspended. With this change, an individual will not be able to register any vehicle until they have cleared up the bad check. Vote 18-1.

**HB 195**, relative to commercial driver learner permits. **OUGHT TO PASS.**

Rep. Brian D. Rhodes for Transportation: This bill will bring existing New Hampshire commercial driver license (CDL) requirements into compliance with federal CDL requirements. This bill will give New Hampshire residents additional opportunities (time) to train for their actual commercial driver's license. Vote 19-0.

**HB 196**, relative to weight of commercial vehicles with idle reduction devices. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Timothy A. Soucy for Transportation: This bill, as amended, mirrors the code of Federal Regulations Title 23 Part 658:17 to increase the weight of idle reduction units to be exempted from the vehicle weight on the National System of Interstate and Defense Highway to 550 lbs. This is both business and environmentally friendly and brings uniformity with other states and federal law. The amendment amends the bill from 850 lbs to the correct weight of 550 lbs. Vote 19-0.

#### Amendment (0048h)

Amend the bill by replacing section 1 with the following:

1 Weight of Commercial Vehicle with Idle Reduction Device. Amend RSA 266:18-c, VII to read as follows:

VII. Any vehicle subject to this subdivision that utilizes an auxiliary power or idle reduction technology unit in order to promote reduction of fuel use and emissions because of engine idling, may be allowed up to an additional [~~400~~] 550 pounds in gross, axle, tandem, or bridge formula weight limits. To be eligible for this exception the driver of the vehicle must be able to prove by written certification the weight of the auxiliary power unit and by demonstration or certification that the idle reduction technology is fully functional at all times. Certification of the weight of the auxiliary power unit must be available to law enforcement officers if the vehicle is found in violation of applicable weight laws. The additional weight allowed may not exceed [~~400~~] 550 pounds or the weight certified, whichever is less.

#### REGULAR CALENDAR

**HB 223**, relative to access to school-approved means of communication by recognized youth organizations. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary J. Gorman for Education: This bill mandates that local school boards provide patriotic organizations access to schools for the purpose of advertising activities, recruitment, or other purposes. This bill came as a result of a local school board's recent policy of not allowing fliers of organizations to be distributed through the school. Though these organizations are well respected, the committee believes this is an issue of local control. Townspeople can lobby their local school board for a change in policy. This bill is a state mandate as the answer to a local issue. This bill is not necessary. Vote 13-5.

Committee report adopted.

**HB 251**, relative to the legislative members of the home education advisory council. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Anne C. Grassie for the Majority of Education: This bill allows the two legislators and one senator appointed to the home education advisory council to be voting members. The council is the creation of the General Court and the membership is designated by our law. The work of the council should be reflected by the voting records of all its members. Vote 10-9.

Rep. Ralph G. Boehm for the Minority of Education: The current law, only in effect for one year, states that the Representatives and Senator that are members of the home education advisory council (HEAC) are non-voting members. HEAC is currently comprised of 6 members representing the home education community and 6 members representing the school administration and department of education. This creates a balance; but with the 3 members of the general court being voting members, the council could become political. The house and senate members for the most part do not have the insight into the home education community and will either vote with the home education representatives, or, depending on their policies, vote with the administration. The current law should stay as it is, keeping an even balance.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Boehm spoke against.

Rep. Grassie spoke in favor.

On a division vote, 178 members having voted in the affirmative and 162 in the negative, the majority committee report was adopted and ordered to third reading.

### MOTION TO RECONSIDER

Rep. Baldasaro moved that the House reconsider its actions, whereby on a division vote of 178-162, it adopted the majority committee report of Ought to Pass on **HB 251**, relative to the legislative members of the home education advisory council.

Since Rep. Baldasaro had not voted on the prevailing side, the Speaker ruled the motion out of order.

### REGULAR CALENDAR (CONT'D)

**HB 225**, relative to the rulemaking authority of the liquor commission. **OUGHT TO PASS.**

Rep. John Sytek for Executive Departments and Administration: Many statutes give departments rulemaking authority to implement particular legislation. This authority should reflect the legislative intent as closely as possible. This bill is a timely codification of the rules of the liquor commission. The sponsor reviewed existing rules with the liquor commission and has incorporated its present, long standing rules into this bill. The committee recognized the need for the liquor commission to address changing situations, including new federal requirements. For that reason, the bill permits the liquor commission to make and promulgate rules, the only stipulation being that it provides a written report detailing the necessity and financial impact. Vote 14-4.

Committee report adopted and ordered to third reading.

**HB 270-FN-A**, making an appropriation to the department of education to fund career and technical student organizations. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan M. Ford for Finance: This bill appropriates \$125,000 to the department of education to fund career and technical student organizations. The committee believes that all appropriations for the upcoming biennium should be addressed in HB 1, the appropriations bill. This will allow us to consider the request for appropriations within the proposed budget. Therefore, the committee recommends ITL for this stand-alone appropriations bill. Vote 24-0.

Rep. Wallner addressed the House for a correction to the "blurb."

Committee report adopted.

**HB 358-FN-A**, relative to the children in need of services program and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. Cindy Rosenwald for Finance: This bill restores both the previous definition and full funding for the children in need of services program. The committee believes that all appropriations for the upcoming biennium should be addressed in HB 1, the appropriations bill. This will allow us to consider requests for appropriations within the context of the entire budget. Therefore, the committee recommends ITL for this stand-alone appropriations bill. Vote 24-0.

Committee report adopted.

**HB 218-FN**, prohibiting interference with access to medical services and health insurance of New Hampshire citizens. **INEXPEDIENT TO LEGISLATE.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This bill makes it a crime for any federal or state official to "prevent, attempt to prevent, or interfere with" medical services being delivered to a legal resident or inhabitant of NH. The committee recognizes that the current system, in which the patient and provider relationship exists, functions in a satisfactory way. There are quality assurance measures in place to deal with difficulties that may arise. There was no testimony that supported the need for this bill other than that of the prime sponsor. The committee believes that this legislation is not needed. Vote 16-0.

Committee report adopted.

**CACR 4**, relating to the supreme court. Providing that rules made by the chief justice of the supreme court governing the administration of the courts in the state and the practice and procedure to be followed in all such courts shall not have the force and effect of law. **INEXPEDIENT TO LEGISLATE.**



Rep. Lenette M. Peterson for Judiciary: The committee was asked by the bill sponsor to find this inexpedient to legislate due to the fact that he requested a bill and not a Constitutional Amendment Concurrent Resolution (CACR). Vote 13-1.  
Committee report adopted.

**HB 188**, decreasing the time required for eviction notice in cases where there is a material breach of the lease and requiring the tenant to meet financial obligations under the lease pending appeal. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Peter M. Sullivan for the Majority of Judiciary: New Hampshire's landlord-tenant law strikes a balance of interests between property owners and residents. This bill would disrupt this carefully crafted balance. The committee concluded that lowering the time frame for evictions from 30 days to 7 days would unduly burden low-income tenants, who would find it difficult to secure legal representation and gather supporting documents. In addition, allowing rapid evictions for any material breach would put tenants at risk for even the most minor of technical violations of the lease agreement. Finally, the bill improperly interjects the courts and landlord into disputes between tenants and utility companies. This would create tremendous difficulties for Circuit Court judges and staff. Vote 14-3.

Rep. Michael J. Sylvia for the Minority of Judiciary: The minority believes that this bill restores balance to the landlord-tenant relationship and respects the sanctity of contracts. Current statute requires that in a possessory (eviction) action under appeal, the defendant pays into court the current rent. This bill simply adds that the tenant also pays utility bills and other financial obligations pursuant to the lease. This bill honors property rights and is pro-business. Tenants who fail to pay their financial obligations raise rents for others who live up to their responsibilities. Further, this bill reduces the time to start the eviction process thereby reducing damage to property, stopping disruption to neighbors and limiting expenses for the landlord. Keeping expenses down for landlords will help to keep housing more affordable for the people of New Hampshire.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, 242 members having voted in the affirmative and 106 in the negative, the majority committee report was adopted.

**HB 238**, relative to the disposition of estates valued at less than \$10,000. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank H. Heffron for Judiciary: This bill would dispense with certain probate procedures in estates consisting entirely of personal property of a gross value not exceeding \$10,000. The committee acknowledges the problem, but concluded that the bill would not effectively simplify the administration of small estates. Vote 14-2.

Committee report adopted.

**HB 281**, permitting retired judges over the age of 70 to serve the courts under certain circumstances. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary S. Hopper for Judiciary: This bill was introduced to help retain the knowledge and experience of some of our senior judges who are past seventy years of age. Although the majority appreciates the intent of the bill, the New Hampshire Constitution clearly states in Article 78 Part Second that "No person shall hold the office of judge of any court, or judge of probate, or sheriff of any county, after he has attained the age of seventy years." The proper vehicle to achieve what the sponsor is intending would be by amending the Constitution. Vote 10-6.

Committee report adopted.

**HB 144**, prohibiting the state, counties, towns, and cities from implementing programs of, expending money for, receiving funding from, or contracting with the International Council for Local Environmental Initiatives. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Syndi G. White for the Majority of Municipal and County Government: The International Council for Local Initiatives (ICLEI) is a U.N. sponsored organization which helps promote sustainability, climate protection and clean energy initiatives for towns, cities and counties who choose to join. ICLEI supports local governments by providing technical assistance and training, events, software and networking opportunities. In NH, four municipalities (Wolfeboro, Nashua, Keene and Portsmouth) are members. Supporters of this bill testified that ICLEI (also known as Agenda 21) is

impacting property rights, ruining farms and forcing people to live in "smart zones." They inferred that ICLEI reaches further into areas of education, religion and mind-control. However, NH towns and cities that have membership in ICLEI have not experienced any of these perceived threats or negative impacts. Opponents of this bill cite the importance of keeping the decision whether or not to join ICLEI, or any such organization, at the local level. The issue for the committee in deciding to ITL was indeed one of local control. This bill would strip municipalities of their decision-making ability to join an organization which they feel provides services, advice and solutions to some of the 21st century challenges they are facing. Vote 14-3.

Rep. James E. Coffey for the Minority of Municipal and County Government: The constitution of the United States prohibits states from entering into any compact or agreement with a foreign power without prior approval by congress. The towns, cities and counties are political subdivisions of the state and therefore cannot enter into any compact or agreement with a foreign power. The international council of legislative environmental initiatives known as ICLEI, has 84 foreign states among its membership. The U.S. Congress has not authorized states, counties, or municipal government's permission to join ICLEI.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Notter, Murotake, Coffey and Peterson spoke against.

Reps. Hansen and Baldasaro spoke against and yielded to questions.

Rep. Syndi White spoke in favor.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

## YEAS 211 NAYS 141

### YEAS 211 BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Flanders, Donald

Gulick, Ruth

### CARROLL

Ahlgren, Christopher  
Ticehurst, Susan

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Hunt, John  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

### COOS

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

### GRAFTON

Aguiar, James  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda

Beaulieu, Jane  
Carroll, Douglas  
Danielson, David  
Gargas, Carolyn  
Graham, John  
Heden, Ruth

Boisvert, Ronald  
Chandley, Shannon  
DiSilvestro, Linda  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin

Byron, Frank  
Connor, Evelyn  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Jasper, Shawn

Knowles, Mary Ann  
Long, Patrick  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne  
Winters, Joel

Kurk, Neal  
MacKay, Mariellen  
Palangas, Eric  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Vaillancourt, Steve  
Woodbury, David

Leishman, Peter  
Manley, Jonathan Sr  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Walsh, Robert Jr

Levesque, Melanie  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Takesian, Charlene  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Frambach, Mary  
Hess, David  
Kelly, Sally  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Copeland, Timothy  
Flockhart, Eileen  
Lundgren, David  
Muns, Chris  
Schlachman, Donna  
Sytek, John  
Whittemore, Lisa

Borden, David  
Cushing, Robert Jr  
Heffron, Frank  
Major, Norman  
Pantelakos, Laura  
Sherman, Thomas  
Till, Mary

Briden, Steven  
Devine, James  
Helmstetter, Barbara  
Mann, Maureen  
Sapareto, Frank  
St.James, Kevin  
Ward, Gerald

Cahill, Michael  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Moody, Marcia  
Scarlotto, Joe  
Sweeney, Joe  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Menear, H. Robert III  
Rollo, Deanna  
Stevens, Audrey

Berube, Roger  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Schmidt, Peter  
Verschuere, James

Bickford, David  
Ginsburg, Philip  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
Tanner, Linda

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne  
Schmidt, Andrew

Lefebvre, Benjamin  
Sweeney, Cynthia

### NAYS 141

### BELKNAP

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

Fields, Dennis  
Luther, Robert  
Worsman, Colette

### CARROLL

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

### CHESHIRE

Johnson, Jane

Parkhurst, Henry

**COOS**

Richardson, Herbert      Rideout, Leon

**GRAFTON**Bailey, Brad      Bradley, Lester      Doolan, Ralph Jr      Gionet, Edmond  
Ladd, Rick Jr**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Cebrowski, John	Christiansen, Lars	Coffey, James	Culbert, Patrick
Daniels, Gary	Dobson, Jeremy	Gagne, Larry	Haefner, Robert
Hansen, Peter	Hinch, Richard	Hopper, Gary	Infantine, William
Lambert, George	LeBrun, Donald	LeVasseur, Richard	Marston, Dick
Martel, Andre	McCarthy, Michael	Meaney, Richard	Murotake, David
Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine	O'Brien, William
O'Flaherty, Tim	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Parison, James	Pellegrino, Tony	Peterson, Lenette	Renzullo, Andrew
Rowe, Robert	Sanborn, Laurie	Sandblade, Emily	Souza, Kathleen
Straight, Philip	Sweeney, Shawn	Ulery, Jordan	Villeneuve, Moe
Warden, Mark	Willette, Robert		

**MERRIMACK**

Hoell, J.R.	Kidder, David	Kotowski, Frank	McGuire, Carol
McGuire, Dan	Patten, Dick	Reed, Dennis	Smith, Todd
Walsh, Thomas IV			

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Charron, Gene	Chirichiello, Brian	Comerford, Timothy
DeSimone, Debra	Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Friel, William	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter
McKinney, Betsy	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Packard, Sherman	Peckham, Michele
Rice, Frederick	Sanders, Elisabeth	Schroadter, Adam	Sedensky, John
Tamburello, Daniel	Tasker, Kyle	Thompson, David	Tremblay, Stella
Tucker, Pamela	Waterhouse, Kevin	Webb, James Sr	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven	Groen, Warren	Jones, Laura	Mullen, John Jr
Parsons, Robbie	Pitre, Joseph		

**SULLIVAN**

Grenier, James      Smith, Steven  
and the majority committee report was adopted.

**HB 185-FN**, relative to the fuel oil discharge cleanup fund. **OUGHT TO PASS.**

Rep. Leigh A. Webb for Resources, Recreation and Development: This bill reinstates a lapsed .25 cent fee increase over the original 1.0 cent fee per gallon of fuel oil imported into New Hampshire to help pay for cleanup of fuel oil spills and to fund the state's Safe Tank Program which helps to replace or bring into compliance residential fuel oil tanks in danger of release, for means-tested, lower income families. The fuel oil discharge fund, due to diminishing imports and decreased demand for fuel oil over other types of fuel, has suffered from revenue losses and was dropping to a level endangering the state's ability to effectively deal with these types of releases. Vote 14-0. Rep. Keith Murphy spoke against.

Rep. Leigh Webb spoke in favor and yielded to questions.

Rep. Tamburello requested a roll call; sufficiently seconded.

**YEAS 186 NAYS 165****YEAS 186****BELKNAP**

Arsenault, Beth	DiMartino, Lisa	Holmes, Stephen	Huot, David
Raymond, Ian	Tilton, Franklin		

**CARROLL**

Buco, Thomas	Butler, Edward	Lavender, Tom	Morrow, Harry
Ticehurst, Susan			

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Lerandeau, Alfred	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Roberts, Kris
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles	Young, Harry		

**COOS**

Enman, Larry	Hammon, Marcia	Hatch, William	Moynihan, Wayne
Theberge, Robert	Thomas, Yvonne		

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Higgins, Patricia
Lauer, Linda	Lovett, Sid	Massimilla, Linda	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Belanger, James	Boisvert, Ronald
Carroll, Douglas	Chandley, Shannon	Connor, Evelyn	Cote, David
DiSilvestro, Linda	Dobson, Jeremy	Gage, Ruth	Gale, Sylvia
Goley, Jeffrey	Grady, Brenda	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin	Knowles, Mary Ann
Leishman, Peter	LeVasseur, Richard	Levesque, Melanie	Long, Patrick
MacKay, Mariellen	Manley, Jonathan Sr	O'Brien, Michael Sr	Palangas, Eric
Porter, Marjorie	Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy
Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel	Sullivan, Peter
Takesian, Charlene	Vail, Suzanne	Walsh, Robert Jr	Williams, Kermit
Woodbury, David			

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Carson, Clyde	Davis, Frank	Ebel, Karen	Frambach, Mary
Frazer, June	French, Barbara	Gile, Mary	Hirsch, Geoffrey
Hunt, Jane	Karrick, David Jr	Kelly, Sally	Kidder, David
MacKay, James	Myler, Mel	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh		

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Cahill, Michael
Cali-Pitts, Jacqueline	Charron, Gene	Cushing, Robert Jr	Flockhart, Eileen
Heffron, Frank	Helmstetter, Barbara	Lovejoy, Patricia	Lundgren, David

Mann, Maureen  
 Scarlotto, Joe  
 Ward, Gerald

Moody, Marcia  
 Schlachman, Donna  
 Wazlaw, Brian

Muns, Chris  
 Sweeney, Joe  
 Whittemore, Lisa

Pantelakos, Laura  
 Till, Mary

### STRAFFORD

Baber, William  
 Burdwood, Greg  
 Grossman, Kenneth  
 Ketel, Stephen  
 Perry, Robert  
 Smith, Marjorie  
 Ward, Kenneth

Berube, Roger  
 Gardner, Janice  
 Hooper, Dorothea  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Spang, Judith

Bickford, David  
 Ginsburg, Philip  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Rollo, Deanna  
 Verschueren, James

Bixby, Peter  
 Grassie, Anne  
 Kaen, Naida  
 Miller, David  
 Schmidt, Peter  
 Wall, Janet

### SULLIVAN

Cloutier, John  
 Lefebvre, Benjamin

Gagnon, Raymond  
 O'Heame, Andrew

Gottling, Suzanne  
 Schmidt, Andrew

Grenier, James  
 Sweeney, Cynthia

### NAYS 165

### BELKNAP

Burchell, Richard  
 Fink, Charles  
 Luther, Robert

Comtois, Guy  
 Flanders, Donald  
 Sylvia, Michael

Cormier, Jane  
 Greemore, Robert Jr  
 Vadney, Herbert

Fields, Dennis  
 Gulick, Ruth  
 Worsman, Colette

### CARROLL

Ahlgren, Christopher  
 McConkey, Mark  
 White, Syndi

Chandler, Gene  
 Nelson, Bill  
 Wright, Donald

Cordelli, Glenn  
 Schmidt, Stephen

Crawford, Karel  
 Umberger, Karen

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

### COOS

Coulombe, Gary

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
 Ladd, Rick Jr

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
 Cebrowski, John  
 Daniels, Gary  
 Gorman, Mary  
 Hinch, Richard  
 Kurk, Neal  
 Martel, Andre  
 Murphy, Keith  
 O'Brien, William  
 Palmer, Stephen  
 Renzullo, Andrew  
 Sandblade, Emily  
 Ulery, Jordan  
 Willette, Robert

Boehm, Ralph  
 Christiansen, Lars  
 Danielson, David  
 Graham, John  
 Hopper, Gary  
 Lambert, George  
 McCarthy, Michael  
 Murphy, Kelleigh  
 O'Flaherty, Tim  
 Parison, James  
 Rokas, Ted  
 Souza, Kathleen  
 Vaillancourt, Steve  
 Winters, Joel

Burt, John  
 Coffey, James  
 Gagne, Larry  
 Haefner, Robert  
 Infantine, William  
 LeBrun, Donald  
 Meaney, Richard  
 Nelson, Mary  
 Ober, Lynne  
 Pellegrino, Tony  
 Rowe, Robert  
 Straight, Philip  
 Villeneuve, Moe

Byron, Frank  
 Culbert, Patrick  
 Gargas, Carolyn  
 Hansen, Peter  
 Jasper, Shawn  
 Marston, Dick  
 Murotake, David  
 Notter, Jeanine  
 Ober, Russell III  
 Peterson, Lenette  
 Sanborn, Laurie  
 Sweeney, Shawn  
 Warden, Mark

### MERRIMACK

Burns, Scott  
 McGuire, Carol  
 Reed, Dennis

Hoell, J.R.  
 McGuire, Dan  
 Smith, Todd

Kotowski, Frank  
 Moffett, Howard  
 Walsh, Thomas IV

Lockwood, Priscilla  
 Patten, Dick

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Chirichiello, Brian	Comerford, Timothy	Copeland, Timothy
DeSimone, Debra	Devine, James	Duarte, Joe	Emerick, J. Tracy
Emerson-Brown, Rebecca	Ferrante, Beverly	Fesh, Robert	Friel, William
Garcia, Bianca	Garcia, Marilinda	Gordon, Richard	Griffin, Mary
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Khan, Aboul
Kolodziej, Walter	Major, Norman	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Oigny, Jeffrey
Packard, Sherman	Peckham, Michele	Rice, Frederick	Sanders, Elisabeth
Sapareto, Frank	Schroader, Adam	Sedensky, John	Sherman, Thomas
St.James, Kevin	Sytek, John	Tamburello, Daniel	Tasker, Kyle
Thompson, David	Tremblay, Stella	Tucker, Pamela	Waterhouse, Kevin
Webb, James Sr	Weyler, Kenneth		

**STRAFFORD**

Beaudoin, Steven	Gray, James	Groen, Warren	Horrigan, Timothy
Jones, Laura	Mullen, John Jr	Parsons, Robbie	Pitre, Joseph
Stevens, Audrey			

**SULLIVAN**

Rollins, Skip	Smith, Steven	Tanner, Linda
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and the committee report was adopted and referred to the Committee on Ways and Means. Rep. Robertson declared a conflict of interest and did not participate.

Rep. Campbell did not vote and notified the Clerk that he wished to be recorded in favor.

**HB 152**, establishing a committee to study the feasibility of personal rapid transit systems. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman A. Packard for Transportation: We are always looking to improve our ability to transport people in a cost effective way. This bill would create a study commission that advocates a new form of rapid transit. The committee felt that at this time a proper study could not be done without a sizeable amount of money for consultants to do a proper study. A majority of the committee felt that the department of transportation should keep track of any progress of these systems that may have future possibilities for New Hampshire. Vote 12-1.

Rep. Steven Smith spoke against.

Rep. Packard spoke in favor.

On a division vote, 303 members having voted in the affirmative and 47 in the negative, the committee report was adopted.

**HB 193**, relative to registration of vehicles by residents without a permanent street address. **OUGHT TO PASS.**

Rep. Brian D. Rhodes for Transportation: RSA 261:52c currently allows the homeless to re-register an automobile if they are engaged with an appropriate social service organization. This bill simply modifies the language of 261:52c to say "register or re-register" an automobile. This subtle but important change will allow homeless citizens to replace or upgrade vehicles, which can be an important step on their path to self-sufficiency. The bill does not change or expand the program; it simply allows homeless citizens to change vehicles. Vote 11-8.

Committee report adopted and ordered to third reading.

**CACR 1**, relating to taxation. Providing that a 3/5 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments or principal of all state bonds. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Gilman Shattuck for the Majority of Ways and Means: The committee heard no testimony to support this resolution except from the prime sponsor. The committee heard testimony supporting a consensus of reasons as to why this resolution would sharply limit the ability of the general court to prepare useful and timely budgets in the future. This bill would allow a future house or senate

minority to stop any tax or fee increase that the majority of both houses and governor believed as necessary to provide proper services to citizens and business. It would undermine the democratic institutions and processes that have worked so well for us over so many years, in good times and in bad times. It would result in higher borrowing costs to the state. It would inhibit reconsideration of costly tax breaks and any tax reforms. It would encourage the use of one-time fixes and accounting gimmicks. It would encourage legislative stalemates such as we see at the federal level and in other states with supermajority rules. It would cause the eventual collapse of state government – imposing an unacceptable burden on our children and grandchildren. The resolution attempts to solve a problem does not exist. The bipartisan majority recommends its defeat. Vote 14-3.

Rep. Jordan Ulery for the Minority of Ways and Means: CACR 1 modifies our constitution to allow more transparency, more clarity and more consensus in the tax process. Currently, taxes are hidden in dead of night budget fixes. This bill would force this body to directly address the real need, seek an honest collegial consensus on the need of tax or license increases. This process would streamline budgeting, streamline tax policy and give the individual representatives back the power to actually represent his other district. The CACR does require we work together and it does require hard work to achieve consensus. That is good, for when we are taking our neighbors' money from their pockets, there should be a good reason accepted by a supermajority.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Tamburello spoke against.

Rep. Renzullo spoke against and yielded to questions.

Reps. Timothy Smith and Almy spoke in favor.

Rep. Ulery spoke against, yielded to questions and requested a roll call; sufficiently seconded.

## YEAS 206 NAYS 149

### YEAS 206 BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

### COOS

Coulombe, Gary  
Moynihn, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Dobson, Jeremy  
Goley, Jeffrey

Beaulieu, Jane  
Carroll, Douglas  
Culbert, Patrick  
Gage, Ruth  
Gorman, Mary

Belanger, James  
Chandley, Shannon  
Danielson, David  
Gale, Sylvia  
Grady, Brenda

Boisvert, Ronald  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Hammond, Jill



Hansberry, Daniel  
Knowles, Mary Ann  
Mackay, Mariellen  
Palangas, Eric  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

Harriott-Gathright, Linda  
Leishman, Peter  
Manley, Jonathan Sr  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Heden, Ruth  
Levesque, Melanie  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Takesian, Charlene  
Winters, Joel

Jack, Martin  
Long, Patrick  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne  
Woodbury, David

### MERRIMACK

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Mackay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Burns, Scott  
Frambach, Mary  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Lovejoy, Patricia  
Oligny, Jeffrey  
Scarlottio, Joe  
Till, Mary  
Whittemore, Lisa

Borden, David  
Copeland, Timothy  
Heffron, Frank  
Mann, Maureen  
Pantelakos, Laura  
Schlachman, Donna  
Ward, Gerald

Briden, Steven  
Cushing, Robert Jr  
Helmstetter, Barbara  
Moody, Marcia  
Peckham, Michele  
Sherman, Thomas  
Waterhouse, Kevin

Cahill, Michael  
Emerson-Brown, Rebecca  
Khan, Aboul  
Muns, Chris  
Sapareto, Frank  
Sweeney, Joe  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Schmidt, Peter  
Verschueren, James

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bickford, David  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

### NAYS 149

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cornier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond
Ladd, Rick Jr	Shackett, Jeffrey		

**HILLSBOROUGH**

Barry, Richard	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Christiansen, Lars	Coffey, James	Daniels, Gary
Gagne, Larry	Graham, John	Haefner, Robert	Hansen, Peter
Hinch, Richard	Hopper, Gary	Infantine, William	Jasper, Shawn
Kurk, Neal	Lambert, George	LeBrun, Donald	LeVasseur, Richard
Marston, Dick	Martel, Andre	McCarthy, Michael	Meaney, Richard
Murotake, David	Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine
O'Brien, William	O'Flaherty, Tim	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Parison, James	Pellegrino, Tony	Peterson, Lenette
Renzullo, Andrew	Rowe, Robert	Sanborn, Laurie	Sandblade, Emily
Souza, Kathleen	Straight, Philip	Sweeney, Shawn	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark	Willette, Robert

**MERRIMACK**

Hess, David	Hoell, J.R.	Kotowski, Frank	McGuire, Carol
McGuire, Dan	Reed, Dennis	Smith, Todd	Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Charron, Gene	Chirichiello, Brian	Comerford, Timothy
DeSimone, Debra	Devine, James	Duarte, Joe	Dumaine, Dudley
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Friel, William
Garcia, Bianca	Garcia, Marilinda	Gordon, Richard	Griffin, Mary
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Kolodziej, Walter
Lundgren, David	Major, Norman	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Packard, Sherman
Rice, Frederick	Sanders, Elisabeth	Schroadter, Adam	Sedensky, John
St.James, Kevin	Sytek, John	Tamburello, Daniel	Tasker, Kyle
Thompson, David	Tremblay, Stella	Tucker, Pamela	Webb, James Sr
Weyler, Kenneth			

**STRAFFORD**

Beaudoin, Steven	Gray, James	Groen, Warren	Jones, Laura
Mullen, John Jr	Parsons, Robbie	Pitre, Joseph	

**SULLIVAN**

Rollins, Skip	Smith, Steven
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and the majority committee report was adopted.

The House recessed at 12:15 p.m.

**RECESS**

The House reconvened at 1:20 p.m.

**(Speaker Norelli in the Chair)**

**REGULAR CALENDAR (CONT'D)**

**CACR 2**, relating to taxation. Providing that taxes imposed by the state of New Hampshire or its subdivisions may be graduated. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Patricia Lovejoy for the Majority of Ways and Means: This bill proposes that voters decide whether to allow a graduated tax. Our constitution has always required all taxes be proportional and reasonable, though sometimes with major exemptions that serve the public good. The concept of a graduated tax could be applied to any tax of the State of NH or any subdivision thereof, including business taxes, property taxes, real estate transfer taxes, excise tax, etc. This concept would be applicable to any future taxes such as a broad-based sales or income tax. The sponsor was unclear how this concept would be explained to the voters in the absence of specific examples. The benefit was tied to reducing property taxes. The majority of the committee finds the linkage too vague for a measure that must go to the voters. Vote 14-2.

Rep. Gilman Shattuck for the Minority of Ways and Means: The sponsor made clear in his testimony that he had no specific changes or additions to tax law in mind with this bill. He feels strongly that future legislatures need full flexibility in order to craft legislation that might foster more equitable tax systems. Since this legislature cannot and should not predict or determine the future revenue needs of this state, this legislature should not limit the work of future legislatures. The bill in itself is simply enabling legislation; it does not require any change to existing law. It might provide useful flexibility to future legislatures.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Weed spoke against and yielded to questions.

Reps. Lovejoy and Abrami spoke in favor.

On a division vote, 302 members having voted in the affirmative and 38 in the negative, the majority committee report was adopted.

**HB 168-FN-A**, increasing the beer tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Thomas C. Schamberg for the Majority of Ways and Means: This bill would increase the beer tax from 30 cents to 40 cents a gallon and designate all additional proceeds to a dedicated alcohol abuse prevention and treatment fund. We already have a designated abuse prevention and treatment fund. New Hampshire would have the highest beer tax in New England and almost four (4) times the rate of Massachusetts which is 11 cents per gallon. The majority of the committee feels this would hurt the border communities' sales. Vote 14-2.

Rep. Richard Ames for the Minority of Ways and Means: This bill would increase the beer tax from 30 cents to 40 cents per gallon, an increase of slightly less than 1 cent per 12 ounce can or bottle. This would be the first increase in this tax since 1983. The increased tax is likely to generate about \$3.9 million in new revenue, with about \$1.9 million of the increased revenue expected to come from the sale of beer to out-of-state visitors. By the terms of the bill, all of this new revenue would go to the alcohol abuse prevention and treatment fund for alcohol and other drug abuse prevention, intervention and treatment services. The minority believes based on testimony received, that a penny per drink tax increase will not result in a significant adverse impact on beer sales in New Hampshire. State funding for alcohol fund supported services was reduced 55 percent by the FY 2012/2013 budget. The minority believes that the increased revenue that will be produced by this bill will enable a return in the FY 2014/2015 budget, through the regular budgeting process, to minimally adequate state funding for desperately needed alcohol fund supported services.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Weed spoke against and yielded to questions.

Rep. Schamberg spoke in favor.

Rep. Notter requested a roll call; sufficiently seconded.

**YEAS 308 NAYS 35**

**YEAS 308**

**BELKNAP**

Arsenault, Beth  
DiMartino, Lisa  
Greemore, Robert Jr  
Raymond, Ian  
Worsman, Colette

Burchell, Richard  
Fields, Dennis  
Gulick, Ruth  
Sylvia, Michael

Comtois, Guy  
Fink, Charles  
Holmes, Stephen  
Tilton, Franklin

Cormier, Jane  
Flanders, Donald  
Huot, David  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Cordelli, Glenn  
Morrow, Harry  
Umberger, Karen

Buco, Thomas  
Crawford, Karel  
Nelson, Bill  
White, Syndi

Butler, Edward  
Lavender, Tom  
Schmidt, Stephen  
Wright, Donald

Chandler, Gene  
McConkey, Mark  
Ticehurst, Susan

**CHESHIRE**

Burridge, Delmar  
Hunt, John  
Tatro, Bruce

Chase, Cynthia  
Johnson, Jane  
Weber, Lucy

Eaton, Daniel  
Lerandeau, Alfred  
Young, Harry

Emerson, Susan  
Sad, Tara

**COOS**

Enman, Larry  
Rappaport, Laurence  
Thomas, Yvonne

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Lauer, Linda  
Smith, Suzanne

Almy, Susan  
Brown, Rebecca  
Gionet, Edmond  
Massimilla, Linda  
Sykes, George

Bailey, Brad  
Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
White, Andrew

Benn, Bernard  
Doolan, Ralph Jr  
Ladd, Rick Jr  
Piper, Wendy

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Campbell, David  
Connor, Evelyn  
Danielson, David  
Gale, Sylvia  
Grady, Brenda  
Hansen, Peter  
Hopper, Gary  
Katsiantonis, Thomas  
LeBrun, Donald  
Long, Patrick  
Meaney, Richard  
Nelson, Mary  
O'Flaherty, Tim  
Palmer, Stephen  
Porter, Marjorie  
Rokas, Ted  
Sandblade, Emily  
Soucy, Timothy  
Sullivan, Daniel  
Ulery, Jordan  
Walsh, Robert Jr  
Winters, Joel

Barry, Richard  
Boisvert, Ronald  
Cebrowski, John  
Cote, David  
DiSilvestro, Linda  
Gargas, Carolyn  
Graham, John  
Harriott-Gathright, Linda  
Infantine, William  
Knowles, Mary Ann  
Leishman, Peter  
MacKay, Mariellen  
Murotake, David  
Notter, Jeanine  
Ober, Lynne  
Parison, James  
Ramsey, Peter  
Rosenwald, Cindy  
Shattuck, Gilman  
Souza, Kathleen  
Sullivan, Peter  
Vail, Suzanne  
Warden, Mark  
Woodbury, David

Beaulieu, Jane  
Burt, John  
Chandley, Shannon  
Culbert, Patrick  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Hikel, John  
Jack, Martin  
Kurk, Neal  
LeVasseur, Richard  
Marston, Dick  
Murphy, Keith  
O'Brien, Michael Sr  
Ober, Russell III  
Pellegrino, Tony  
Renzullo, Andrew  
Rowe, Robert  
Shaw, Barbara  
Spratt, Stephen  
Sweeney, Shawn  
Vaillancourt, Steve  
Willette, Robert

Belanger, James  
Byron, Frank  
Coffey, James  
Daniels, Gary  
Gagne, Larry  
Gorman, Mary  
Hammond, Jill  
Hinch, Richard  
Jasper, Shawn  
Lambert, George  
Levesque, Melanie  
McCarthy, Michael  
Murphy, Kelleigh  
O'Brien, William  
Palangas, Eric  
Peterson, Lenette  
Rhodes, Brian  
Sanborn, Laurie  
Smith, Timothy  
Straight, Philip  
Takesian, Charlene  
Villeneuve, Moe  
Williams, Kermit

**MERRIMACK**

Andrews, Christopher  
Carson, Clyde  
Frazier, June  
Hunt, Jane  
Lockwood, Priscilla  
Moffett, Howard  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Davis, Frank  
Hess, David  
Kelly, Sally  
MacKay, James  
Patten, Dick  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Ebel, Karen  
Hirsch, Geoffrey  
Kidder, David  
McGuire, Carol  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas IV

Burns, Scott  
Frambach, Mary  
Hoell, J.R.  
Kotowski, Frank  
McGuire, Dan  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Cahill, Michael  
Comerford, Timothy  
Devine, James  
Emerson-Brown, Rebecca  
Friel, William  
Griffin, Mary  
Helmstetter, Barbara  
Itse, Daniel  
Lovejoy, Patricia  
Milz, David  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Sytek, John  
Tremblay, Stella  
Webb, James Sr

Allen, Mary  
Borden, David  
Cali-Pitts, Jacqueline  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Bianca  
Hagan, Joseph  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Moody, Marcia  
Packard, Sherman  
Sanders, Elisabeth  
Sherman, Thomas  
Tamburello, Daniel  
Tucker, Pamela  
Weyler, Kenneth

Baldasaro, Alfred  
Briden, Steven  
Charron, Gene  
Cushing, Robert Jr  
Dumaine, Dudley  
Fesh, Robert  
Garcia, Marilinda  
Harris, Jeffrey  
Hoelzel, Kathleen  
Khan, Aboul  
Mann, Maureen  
Muns, Chris  
Pantelakos, Laura  
Scarlotta, Joe  
St.James, Kevin  
Thompson, David  
Waterhouse, Kevin  
Whittemore, Lisa

Bick, Patrick  
Burtis, Elizabeth  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Flockhart, Eileen  
Gordon, Richard  
Heffron, Frank  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Nigrello, Robert  
Peckham, Michele  
Schlachman, Donna  
Sweeney, Joe  
Till, Mary  
Wazlaw, Brian

**STRAFFORD**

Baber, William  
Bixby, Peter  
Groen, Warren  
Hubbard, Pamela  
Mullen, John Jr  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Beaudoin, Steven  
Burdwood, Greg  
Grossman, Kenneth  
Jones, Laura  
Parsons, Robbie  
Rollo, Deanna  
Stevens, Audrey

Berube, Roger  
Ginsburg, Philip  
Hooper, Dorothea  
Kaen, Naida  
Perry, Robert  
Schmidt, Peter  
Verschuieren, James

Bickford, David  
Gray, James  
Horrigan, Timothy  
Malloy, Dennis  
Pitre, Joseph  
Smith, Marjorie  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gagnon, Raymond  
O'Hearne, Andrew  
Tanner, Linda

Gottling, Suzanne  
Rollins, Skip

Grenier, James  
Smith, Steven

**NAYS 35  
BELKNAP**

None

**CARROLL**

None

**CHESHIRE**

Ames, Richard  
Ley, Douglas  
Roberts, Kris

Berch, Paul  
Mann, John  
Robertson, Timothy

Butynski, William  
Parkhurst, Henry  
Shepardson, Marjorie

Johnsen, Gladys  
Phillips, Larry  
Weed, Charles

**COOS**

Coulombe, Gary

**GRAFTON**

Friedrich, Carol  
Townsend, Charles

Harding, Laurie

Lovett, Sid

Mulholland, Catherine

**HILLSBOROUGH**

Carroll, Douglas  
Schmidt, Janice

Hansberry, Daniel

Heden, Ruth

Manley, Jonathan Sr

**MERRIMACK**

French, Barbara  
Watrous, Rick

Gile, Mary

Karrick, David Jr

Rice, Chip

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine    Ward, Gerald

**STRAFFORD**

Gardner, Janice

Grassie, Anne

Menear, H. Robert III

Miller, David

**SULLIVAN**

Schmidt, Andrew  
and the majority committee report was adopted.

**BILLS REMOVED FROM THE CONSENT CALENDAR**

**HB 140**, relative to the committee on legislator orientation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rebecca Emerson-Brown for Legislative Administration: This bill adds the director of house committee services or her/his designee to the committee on legislator orientation and provides for a member of the minority party of the house and senate to be appointed in consultation with the minority leaders. Vote 9-0.

**Amendment (0117h)**

Amend RSA 17-C:2 as inserted by section 1 of the bill by replacing it with the following:

17-C:2 Membership. The committee is composed of 3 members of the house of representatives, *including a member of the minority party appointed in consultation with the minority leader*, appointed by the speaker of the house, 2 members of the senate, *including a member of the minority party appointed in consultation with the minority leader*, appointed by the president of the senate, the clerks of both houses, the president of the senate, the speaker of the house [and], the director of legislative services or his *or her* designee, *and the director of house committee services*. A chairman shall be elected by the members of the committee.

**AMENDED ANALYSIS**

This bill adds the director of house committee services to the committee on legislator orientation. This bill also adds members representing the minority party to the committee on legislator orientation. Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Gary Richardson addressed the House for a correction to the "blurb." Committee report adopted and ordered to third reading.

**HB 136-L**, relative to compensation for attendance at meetings of the county convention. **OUGHT TO PASS.**

Rep. Dennis J. Malloy for Municipal and County Government: This bill increases the per diem rate paid for actual attendance at meetings of the county convention. This bill was requested to help insure a quorum at the county delegation meetings. The current attendance per diem rate is \$25.00 and hasn't changed since 2007. This bill allows the rate to increase to \$50.00 for attendance. The committee agreed that an increase in the per diem could encourage attendance at county delegation meetings especially among people who need to take time off from work and travel long distances. Vote 16-0. Rep. Itse spoke against and yielded to questions.

Rep. Porter spoke in favor.

Rep. Tucker requested a roll call; sufficiently seconded.

**YEAS 116 NAYS 228**

**YEAS 116  
BELKNAP**

None

**CARROLL**

Buco, Thomas	Butler, Edward	Lavender, Tom	Merron, Harry
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**CHESHIRE**

Eaton, Daniel	Johnsen, Gladys	Lerandeau, Alfred	Robertson, Timothy
Sad, Tara	Tatro, Bruce	Weber, Lucy	Weed, Charles

**COOS**

Enman, Larry	Hatch, William	Rappaport, Laurence	Richardson, Herbert
Theberge, Robert			

**GRAFTON**

Aguiar, James	Benn, Bernard	Cooney, Mary	Doolan, Ralph Jr
Ford, Susan	Friedrich, Carol	Gionet, Edmond	Harding, Laurie
Higgins, Patricia	Ladd, Rick Jr	Lauer, Linda	Mulholland, Catherine
Nordgren, Sharon	Piper, Wendy	Sykes, George	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Belanger, James	Campbell, David
Carroll, Douglas	Coffey, James	Connor, Evelyn	Cote, David
Danielson, David	Gargas, Carolyn	Goley, Jeffrey	Haefner, Robert
Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda	Knowles, Mary Ann
Leishman, Peter	LeVasseur, Richard	MacKay, Mariellen	O'Brien, Michael Sr
Palangas, Eric	Porter, Marjorie	Rhodes, Brian	Rokas, Ted
Rosenwald, Cindy	Shattuck, Gilman	Spratt, Stephen	Sullivan, Daniel
Vail, Suzanne	Vaillancourt, Steve	Willette, Robert	Williams, Kermit

**MERRIMACK**

Andrews, Christopher	Bartlett, Christy	Bouchard, Candace	Carson, Clyde
Frazer, June	Gile, Mary	Hunt, Jane	Kidder, David
Lockwood, Priscilla	MacKay, James	Ratzki, Mario	Richardson, Gary
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Cahill, Michael	Copeland, Timothy	Cushing, Robert Jr
Emerson-Brown, Rebecca	Ferrante, Beverly	Khan, Aboul	Lovejoy, Patricia
Pantelakos, Laura	Sanders, Elisabeth	St.James, Kevin	Sweeney, Joe
Sytek, John			

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Ginsburg, Philip
Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea	Hubbard, Pamela
Kaen, Naida	Malloy, Dennis	Perry, Robert	Rogers, Rose Marie
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Verschueren, James	Ward, Kenneth		

**SULLIVAN**

Cloutier, John	Gottling, Suzanne	Grenier, James	Lefebvre, Benjamin
Schmidt, Andrew			

**NAYS 228****BELKNAP**

Arsenault, Beth	Burchell, Richard	Comtois, Guy	Cormier, Jane
DiMartino, Lisa	Fields, Dennis	Fink, Charles	Flanders, Donald
Greemore, Robert Jr	Gulick, Ruth	Holmes, Stephen	Huot, David
Luther, Robert	Raymond, Ian	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Worsman, Colette		

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Nelson, Bill  
White, Syndi

Cordelli, Glenn  
Schmidt, Stephen  
Wright, Donald

Crawford, Karel  
Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Roberts, Kris

Berch, Paul  
Emerson, Susan  
Mann, John  
Shepardson, Marjorie

Burridge, Delmar  
Hunt, John  
Parkhurst, Henry  
Young, Harry

Butynski, William  
Johnson, Jane  
Phillips, Larry

**COOS**

Coulombe, Gary  
Thomas, Yvonne

Hammon, Marcia

Moynihn, Wayne

Rideout, Leon

**GRAFTON**

Almy, Susan  
Lovett, Sid

Bailey, Brad  
Massimilla, Linda

Bradley, Lester  
Smith, Suzanne

Brown, Rebecca  
Townsend, Charles

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Gale, Sylvia  
Hansen, Peter  
Infantine, William  
Katsiantonis, Thomas  
Levesque, Melanie  
McCarthy, Michael  
Murphy, Kelleigh  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Schmidt, Janice  
Souza, Kathleen  
Takesian, Charlene  
Warden, Mark

Boehm, Ralph  
Cebrowski, John  
DiSilvestro, Linda  
Gorman, Mary  
Heden, Ruth  
Jack, Martin  
Kurk, Neal  
Long, Patrick  
Meaney, Richard  
Nelson, Mary  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Shaw, Barbara  
Straight, Philip  
Ulery, Jordan  
Winters, Joel

Boisvert, Ronald  
Chandley, Shannon  
Gage, Ruth  
Grady, Brenda  
Hikel, John  
Jasper, Shawn  
Lambert, George  
Manley, Jonathan Sr  
Murotake, David  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Smith, Timothy  
Sullivan, Peter  
Villeneuve, Moe  
Woodbury, David

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Graham, John  
Hopper, Gary  
Jeudy, Jean  
LeBrun, Donald  
Marston, Dick  
Murphy, Keith  
O'Brien, William  
Palmer, Stephen  
Ramsey, Peter  
Sandblade, Emily  
Soucy, Timothy  
Sweeney, Shawn  
Walsh, Robert Jr

**MERRIMACK**

Burns, Scott  
French, Barbara  
Karrick, David Jr  
McGuire, Dan  
Rogers, Katherine  
Walz, Mary Beth

Davis, Frank  
Hess, David  
Kelly, Sally  
Moffett, Howard  
Schamberg, Thomas  
Watrous, Rick

Ebel, Karen  
Hirsch, Geoffrey  
Kotowski, Frank  
Patten, Dick  
Schuett, Dianne  
Webb, Leigh

Frambach, Mary  
Hoell, J.R.  
McGuire, Carol  
Rice, Chip  
Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Hodgdon, Bruce  
Kappler, Lawrence  
McMahon, Charles

Allen, Mary  
Borden, David  
Charron, Gene  
Devine, James  
Fesh, Robert  
Garcia, Marilinda  
Harris, Jeffrey  
Hoelzel, Kathleen  
Kolodziej, Walter  
Milz, David

Baldasaro, Alfred  
Briden, Steven  
Chirichiello, Brian  
Duarte, Joe  
Flockhart, Eileen  
Gordon, Richard  
Heffron, Frank  
Introne, Robert  
Major, Norman  
Moody, Marcia

Bick, Patrick  
Burtis, Elizabeth  
Comerford, Timothy  
Dumaine, Dudley  
Friel, William  
Griffin, Mary  
Helmstetter, Barbara  
Itse, Daniel  
Mann, Maureen  
Muns, Chris



Nigrello, Robert  
 Rice, Frederick  
 Sherman, Thomas  
 Till, Mary  
 Waterhouse, Kevin  
 Whitemore, Lisa

O'Connor, John  
 Scarlotto, Joe  
 Tamburello, Daniel  
 Tremblay, Stella  
 Wazlaw, Brian

Packard, Sherman  
 Schlachman, Donna  
 Tasker, Kyle  
 Tucker, Pamela  
 Webb, James Sr

Peckham, Michele  
 Sedensky, John  
 Thompson, David  
 Ward, Gerald  
 Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
 Groen, Warren  
 Miller, David  
 Stevens, Audrey

Bixby, Peter  
 Horrigan, Timothy  
 Mullen, John Jr  
 Wall, Janet

Burdwood, Greg  
 Jones, Laura  
 Parsons, Robbie

Gray, James  
 Menear, H. Robert III  
 Pitre, Joseph

### SULLIVAN

Gagnon, Raymond  
 Sweeney, Cynthia

O'Hearne, Andrew  
 Tanner, Linda

Rollins, Skip

Smith, Steven

and the committee report failed.

Rep. Berube voted Yea and intended to vote Nay.

Rep. Winters moved Inexpedient to Legislate.

Adopted.

**HB 191**, relative to conformity of governmental land uses to land use regulations. **INEXPEDIENT TO LEGISLATE.**

Rep. James Verschuereen for Municipal and County Government: The bill addressed perceived inequalities between government and private sector land use. The bill would add zoning board of adjustment to the municipal entities that must be notified of substantial changes or new land uses. The bill further requires the zoning board to hold a public hearing and issues a binding resolution that would be nonbinding under certain circumstances. The committee voted ITL because most testimony was opposed, there were numerous instances of confusion in the language that needed clarifying amendments and there was potential for substantial harm to projects otherwise approved by voters. Vote 16-0.

Rep. Porter addressed the House for a correction to the "blurb" and spoke in favor. Committee report adopted.

### MOTION TO WITHDRAW

Rep. Cebrowski moved, pursuant to House Rule 38(e), that **HB 641-FN-L**, relative to penalties for failure to license dogs, be withdrawn.

Adopted.

### REFERRAL DECLINED

Rep. Wallner, Chairman of the Committee on Finance, under the provisions of House Rule 46 (f), declined the referral of **HB 147-FN**, repealing a duty of the assessing standards board concerning municipal reimbursement for the cost of assessments, and **HB 155**, relative to the use of open source software by state agencies; including the department of information technology in the uniform electronic transactions act; and repealing the information practices act.

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, February 13, 2013 at 10:00 a.m. Adopted.

### LATE SESSION

#### Third reading and final passage

**HB 177**, relative to licensing requirements for homestead food.

**HB 186**, relative to the authority of the department of state.  
**HB 190**, relative to professional misconduct of dental hygienists.  
**HB 216**, relative to the use of the title “fire marshal.”  
**HB 261-FN**, relative to the assistance program for 2-parent families with dependent children.  
**HB 123**, relative to the limitation of liability for negligence regarding public safety officers.  
**HB 211**, relative to service of demand for rent and eviction notice.  
**HB 181**, repealing the equalization standards board.  
**HB 221**, relative to the duty of the long range capital planning and utilization committee.  
**HB 137**, relative to special number plates for members of the national guard.  
**HB 163**, relative to special number plates for disabled veterans.  
**HB 174**, prohibiting the department of safety from providing motor vehicle records for the purpose of creating or enhancing a federal identification database.  
**HB 194**, relative to collection of permit fees paid with insufficient fund checks.  
**HB 195**, relative to commercial driver learner permits.  
**HB 196**, relative to weight of commercial vehicles with idle reduction devices.  
**HB 251**, relative to the legislative members of the home education advisory council.  
**HB 225**, relative to the rulemaking authority of the liquor commission.  
**HB 193**, relative to registration of vehicles by residents without a permanent street address.  
**HB 140**, relative to the committee on legislator orientation.  
**HB 147-FN**, repealing a duty of the assessing standards board concerning municipal reimbursement for the cost of assessments.  
**HB 155**, relative to the use of open source software by state agencies; including the department of information technology in the uniform electronic transactions act; and repealing the information practices act.

### UNANIMOUS CONSENT

Reps. Flockhart, Hess, Dan McGuire, Itse and Burt addressed the House.

### MOTION TO PRINT REMARKS

Rep. Daniel Eaton moved that the remarks by Rep. Lockhart be printed in the Permanent Journal. Adopted.

### REMARKS

**Rep. Flockhart, accompanied by the Exeter delegation:** Thank you, Madam Speaker. James E. Kennedy, State Representative for District 13, Exeter, Stratham and North Hampton, who served on the Fish and Game committee from 2006-2008, passed away this past November while awaiting a heart transplant. James was born in Chelsea, MA in 1945 and worked professionally as an electrician. Always interested in things political, he decided to run for office in 2006. He served one term and his vision went well beyond fish and game issues. He supported a good living wage, teacher’s rights and believed that the issue of an income tax should truly be explored in NH. He was both vocal and thoughtful with a caring heart. We are all often asked to visit students and James enjoyed visits with the students in Exeter’s Adult Education program. He had the sensitivity to know that many of those students worked during the day and took night classes, so he always arrived with pizza for them. When he learned of a need, he did what he could in a quiet way, but these young people never forgot his kindness. That kind of generosity and good humor characterized his whole life. As he began his career as a representative, many here did not know that he was on a heart transplant waiting list at Tufts Medical Center. He wasn’t hiding it, but would often say that he was feeling pretty darn good. His attitude about his health carried right through until his death. When he was finally admitted to Tufts indefinitely, he stayed active and engaged with friends, family and church members. He read and watched the History Channel and stayed connected through his laptop. As we sit here today, we will never know what sorts of challenges will be given to us, but the example of James Kennedy’s endurance and good spirit should make us all proud of the efforts of everyone in this room. We send our thanks and good wishes to his wife Gail and all the members of his family for having shared James Kennedy with the NH House.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former member from Exeter, the Honorable James E. Kennedy.

**MOTION TO PRINT REMARKS**

Rep. Gary Richardson moved that the remarks made by Rep. Hess be printed in the Permanent Journal.

Adopted.

**REMARKS**

**Rep. Hess:** Thank you very much, Madam Speaker. Rarely, very rarely, do we have a giant stride across the political stage here in New Hampshire. Only a handful of such people emerge in any given century. On November 19<sup>th</sup> of last year, we lost one of the greatest from the second-half of the 20<sup>th</sup> century. Warren Rudman was not born in New Hampshire, but he left a mark in this state and on the national scene unequaled by any other person in those same fifty years. Warren was the grandchild of Jewish immigrants from Germany, Poland and Russia. He was naturally pugnacious. He won a Golden Gloves victory as a boxer and in explaining where he acquired this talent, he said, "Thanks to schoolyard encounters with anti-Semitism, I was handy with my fists." Shortly after the North Korean's crossed the 39<sup>th</sup> Parallel, Warren enlisted in the United States Army. He served 15 months in combat, first as a Platoon Leader and later as Company Commander. He earned a Bronze Star for heroism under fire and he had some other choice comments to say about that experience. If you've known combat, he says, not much is left that will intimidate you. It was also the source of a saying that he used to tell many of us who were his aides when the rhetoric was rising and nerves were being frayed. He would say, "Relax, they're not shooting real bullets." Warren went to law school and graduated after going nights to BC in 1960. Eight years later he was appointed legal counsel by Walter Peterson and in 1970 he became the Attorney General of the State of New Hampshire. That's where I met him when I interviewed for a position in his office in 1972. As the Attorney General of the State of New Hampshire, Warren was essential in founding the Consumer Protection Division and the Environmental Protection Division. I served for three years with Warren. He may not have been the best legal mind in the office; that belonged undoubtedly to David Souter, but he was the best leader I have ever known or served under. With Warren, you served both with and under him. He made sure that everybody in the Attorney General's office at that time knew that they were part of the team, but we also knew, in no uncertain terms, that we were part of Warren's team. Warren was a man of action. He did not suffer fools easily or lightly and he did not waste any time. His leadership style was simple and straightforward. He told you what he expected of you and what he wanted you to do and out of fear, you did it. You didn't do it part-way, you didn't do it any way. One of the classic examples that I have is a case in which a 12 year-old newspaper boy was found murdered in the Fish and Game Club outside of Nashua, a boy by the name of Johnny Lindovski. Warren, of course, was from Nashua. I was assigned to the case and he said one thing, "Be sure you get the bastard that did this." After that, it was up to you to do anything you needed to do, however much you had to do, to accomplish the work and we did it. Warren ran for United States Senate in 1980. There were ten candidates for that position in the Republican Primary, including John H. Sununu. Warren won. He then beat John Durkin in the general election and began serving the first of his two terms in the Senate. Words like "blunt" and "outspoken" are not adequate to describe Warren and his personality. He had two nicknames in the US Senate. The first one was "sledgehammer." The second one, coined by George Mitchell, was that he was a "human flamethrower." Warren was a deficit hawk before that phrase was popular. He was one of the authors of the Gramm-Rudman-Hollings bill. A bill which sought to limit and eliminate deficits in federal government in the 1980's when our deficit was only \$200 billion. He served with distinction in a number of roles in the Senate and is famous for a number of quotable quotes. He was on the Iran-contra select committee as vice chairman investigating the questionable diversion of funds and supply to Iran with missiles. He had an encounter with Oliver North in that capacity and in facing down Oliver North he said, "The American people have a right to be wrong, and what Ronald Reagan thinks or what Oliver North thinks or what anybody else thinks matters not a whit." He was vice chair of the ethics committee when the Keating Five were censured and when Congress repealed, basically, Gramm-Rudman in the early 90's, he declined to run for a third term saying, "The glory of being a Senator doesn't mean much if we are bankrupting America." Integrity and principle were always more important to him than partisanship. He was the chair of the President's Foreign Intelligence Advisory Board. He co-founded the Concord Coalition with Senator Paul Tsongas of Massachusetts. You may not know this, he was asked to be Treasury Secretary by President Clinton to replace Lloyd Bentsen and he was also asked to be the Vice

Presidential candidate by Ross Perot. He declined both of those roles. He and Gary Hart chaired the committee to investigate foreign terrorism in the early part of this century and they issued a report on February 15, 2001 which concluded the foreign attacks against American citizens on American soil, possibly causing heavy casualties are likely over the next quarter century. Exactly seven months after that report was issued, we were hit by 9-11. Just as he was all through his life, Warren was ahead of the curve on this issue, principled, centrist, nonpartisan. We are all going to miss him, Democrats and Republicans alike. Thank you.

### **MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of former United States Senator, the Honorable Warren Rudman.

### **RECESS MOTION**

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.

Adopted.

The House recessed at 2:45 p.m.

### **RECESS**

### **(Rep. Kaen in the Chair)**

### **RESOLUTION**

Rep. Lefebvre offered the following: RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 39 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.

Adopted.

### **INTRODUCTION OF SENATE BILL**

### **First, second reading and referral**

**SB 39-FN-A**, relative to funding of capital projects of the division of ports and harbors, Pease development authority. (Public Works and Highways)

### **RECESS**

### **(Speaker Norelli in the Chair)**

Rep. Kaen moved that the House adjourn.

Adopted.

## HOUSE JOURNAL No. 6

Wednesday, February 13, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

O God of infinite newness, whether it comes on the spectacular heels of a wintry Nor'easter, or simply in a spontaneous moment of insight over a cup of coffee, we thank You for those occasions when You grant to us a vision of things as we've never quite seen them before. You have a way of transforming the ordinary into the extraordinary and dead-ends into possibilities. Grant, we pray, that during this legislative session today, that we might be particularly open to the insights, possibilities and resources You have set before us that perhaps we simply hadn't noticed before. On this day, when some of us turn to a season of repentance, remind us of the mobility of a humble heart. Remind us too, that when we ask forgiveness for our faults, deserts of emptiness often turn into oases of life. O God whose center is everywhere and whose periphery is nowhere, show us how, in this season of sunshine and slush, how we might draw into the center of communal opportunity those women, men and children in our state who find themselves at the periphery of our awareness or at the bottom of the economic or power ladders. Raise us above partisan allegiances and narrow agendas so that we may hear one another's wisdom and do what makes good sense for the many. We pray for each other today and for all whose benefit we are charged with. We pray with thanksgiving for the men and women in the armed services, both active and retired, who remind us of the virtue of selfless service. And we pray for those in our lives who find themselves in places of grief, injury, fear or loss. Bear them up in Your Holy care, we humbly pray. Amen.

Representative Glenn Cordelli, member from Tuftonboro, led the Pledge of Allegiance.

The National Anthem was sung by Emma Joanis, an 8<sup>th</sup> grade student at Windham Middle School.

### LEAVES OF ABSENCE

Reps. Ronald Belanger, Berch, Bishop, Booras, Chirichiello, Crawford, Danais, Bianca Garcia, Gargas, Grossman, Hackel, John Kelley, Kopka, Dan McGuire, Menear, Reilly, Rokas, Thompson, Joy Tilton and Carol Williams, the day, illness.

Reps. Azarian, Bailey, Beaudoin, Burtis, Richard Eaton, Friel, Gottling, Harriott-Gathright, Hayes, Hikel, McNamara, Pelletier, Priestley and Tamburello, the day, important business.

Reps. Lockwood, Jane Johnson and Martel, the day, illness in the family.

### INTRODUCTION OF GUESTS

The Honorable Ricia McMahon, former member from Sutton, guest of Reps. Harding and Gottling. Fourth Graders from Webster Elementary School in Manchester, guests of Reps. Goley, Long, Ramsey and Daniel Sullivan. Michael Joanis, father of the singer, guest of the House.

KC Cheng and Liane Holdowsky, students at Lebanon High School, Pages for the day.

### PETITION

**Petitioner Representative Mark Warden on behalf of Ian Freeman, Jason Talley, Kate Ager and Adam Mueller of Keene.** This grievance against county officials in Cheshire County seeks redress by passage of a House resolution asking that certain orders of county officials, relative to access to the Superior Court, be rescinded, introduction of legislation allowing the public to record actions within courtrooms and introduction of legislation prohibiting a judge from establishing rules of decorum in his/her courtroom.

The Speaker announced that copies of the Petition are on file in the Clerk's Office.

### MOTION TO REFER PETITION TO COMMITTEE

Rep. Warden moved that the Petition on behalf of Ian Freeman, Jason Talley, Kate Ager and Adam Mueller of Keene be referred to the Committee on Judiciary.

Rep. Warden spoke in favor.

Rep. Gary Richardson spoke against.

Rep. Baldasaro requested a roll call; sufficiently seconded.

## YEAS 106 NAYS 228

### YEAS 106

#### BELKNAP

Burchell, Richard  
Greemore, Robert Jr

Comtois, Guy  
Sylvia, Michael

Cormier, Jane  
Vadney, Herbert

Fink, Charles  
Worsman, Colette

#### CARROLL

Cordelli, Glenn  
Umberger, Karen

McConkey, Mark  
Wright, Donald

Nelson, Bill

Schmidt, Stephen

#### CHESHIRE

Hunt, John

#### COOS

Rappaport, Laurence

Rideout, Leon

#### GRAFTON

Bradley, Lester

#### HILLSBOROUGH

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Haefner, Robert  
Infantine, William  
Murotake, David  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Warden, Mark

Burt, John  
Coffey, James  
Flanagan, Jack  
Hansen, Peter  
LeBrun, Donald  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Stroud, Kathleen  
Willette, Robert

Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hinch, Richard  
LeVasseur, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Sweeney, Shawn

Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hopper, Gary  
Meaney, Richard  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Villeneuve, Moe

#### MERRIMACK

Hoell, J.R.  
Walsh, Thomas IV

McGuire, Carol

Reed, Dennis

Smith, Todd

#### ROCKINGHAM

Allen, Mary  
Devine, James  
Fesh, Robert  
Griffin, Mary  
Kappler, Lawrence  
O'Connor, John  
Rice, Frederick  
Tucker, Pamela

Baldasaro, Alfred  
Duarte, Joe  
Garcia, Marilinda  
Hagan, Joseph  
Major, Norman  
Olinny, Jeffrey  
Sapareto, Frank  
Waterhouse, Kevin

Birdsell, Regina  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
McMahon, Charles  
Peckham, Michele  
St.James, Kevin  
Webb, James Sr

Comerford, Timothy  
Ferrante, Beverly  
Grace, Curtis  
Hodgdon, Bruce  
Nigrello, Robert  
Perkins, Lawrence  
Tremblay, Stella  
Weyler, Kenneth

#### STRAFFORD

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

#### SULLIVAN

Rollins, Skip

Smith, Steven

**NAYS 228****BELKNAP**

Arsenault, Beth  
Gulick, Ruth  
Raymond, Ian

DiMartino, Lisa  
Holmes, Stephen  
Tilton, Franklin

Fields, Dennis  
Huot, David

Flanders, Donald  
Luther, Robert

**CARROLL**

Buco, Thomas  
Morrow, Harry

Butler, Edward  
Ticehurst, Susan

Chandler, Gene  
White, Syndi

Lavender, Tom

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald  
Connor, Evelyn  
Gage, Ruth  
Grady, Brenda  
Heden, Ruth  
Knowles, Mary Ann  
Long, Patrick  
McCloskey, David  
Porter, Marjorie  
Rowe, Robert  
Soucy, Timothy  
Takesian, Charlene  
Williams, Kermit

Barry, Richard  
Campbell, David  
Cote, David  
Gale, Sylvia  
Graham, John  
Jack, Martin  
Kurk, Neal  
MacKay, Mariellen  
Murphy, Kelleigh  
Ramsey, Peter  
Schmidt, Janice  
Spratt, Stephen  
Vail, Suzanne  
Winters, Joel

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Goley, Jeffrey  
Hammond, Jill  
Jasper, Shawn  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Nelson, Mary  
Rhodes, Brian  
Shattuck, Gilman  
Sullivan, Daniel  
Vaillancourt, Steve  
Woodbury, David

Belanger, James  
Chandley, Shannon  
Dobson, Jeremy  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Levesque, Melanie  
Marston, Dick  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Patten, Dick  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

**ROCKINGHAM**

Abrami, Patrick	Andrews-Ahearn, E. Elaine	Belanger, Ronald	Bick, Patrick
Borden, David	Briden, Steven	Cahill, Michael	Cali-Pitts, Jacqueline
Charron, Gene	Copeland, Timothy	Cushing, Robert Jr	DeSimone, Debra
Elliott, Robert	Emerson-Brown, Rebecca	Flockhart, Eileen	Heffron, Frank
Helmstetter, Barbara	Hoelzel, Kathleen	Khan, Aboul	Kolodziej, Walter
Lovejoy, Patricia	Lundgren, David	Mann, Maureen	McKinney, Betsy
Milz, David	Moody, Marcia	Muns, Chris	Packard, Sherman
Pantelakos, Laura	Perkins, Amy	Sanders, Elisabeth	Scarlottio, Joe
Schlachman, Donna	Sedensky, John	Sweeney, Joe	Till, Mary
Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa	

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Ginsburg, Phillip	Hooper, Dorothea	Horrigan, Timothy
Hubbard, Pamela	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Miller, David	Perry, Robert	Rogers, Rose Marie	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Spainhower, Dale	Spang, Judith
Stevens, Audrey	Verschueren, James		

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Grenier, James	Irwin, Virginia
Lefebvre, Benjamin	O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia

Tanner, Linda

and the motion failed.

Rep. Wall did not vote and notified the Clerk that she wished to be recorded against.

**MOTION TO VACATE**

Rep. James MacKay moved that the House vacate the reference of **HB 664-FN**, relative to the New Hampshire vaccine association, to the Committee on Health, Human Services and Elderly Affairs. Adopted.

The Speaker referred **HB 664-FN** to the Committee on Commerce and Consumer Affairs.

**CONSENT CALENDAR**

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding, removed by Rep. Kurk.

**HB 239**, relative to online availability of certain county budget information and reports, removed by Rep. Jones.

Consent Calendar adopted.

**HB 154-FN**, establishing the New Hampshire condominium law review board. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura M. Jones for Commerce and Consumer Affairs: This bill would create a board without any power to issue rulings or resolve complaints. The board could only recommend future legislation. The committee agreed that condo owners, and others, could become frustrated dealing with a board that has no authority. In addition, this bill would repeal the current committee that studies condominium issues and recommends future legislation. The committee further agreed that the current study committee is doing good work, such as reviewing best practices of other states and that work needs to continue. The current study committee also has historical knowledge of complaints, problems and possible solutions. Vote 17-0.

**HB 229-FN**, relative to a financial examination supervisor. **OUGHT TO PASS.**

Rep. John B. Hunt for Commerce and Consumer Affairs: This bill is a request of the insurance department. The bill takes a currently existing unfilled classified position of financial examiner and makes it an unclassified position titled financial examinations supervisor. This change is necessitated



by the insurance department's recent restructure where this position has now become managerial in nature. There is no fiscal impact to the general fund by the passage of this bill as the insurance department is a self-funded agency that will absorb the anticipated impact of less than \$10,000. Vote 17-0.

**HB 230**, relative to administrative supervision of insurers. **OUGHT TO PASS.**

Rep. Donald H. Flanders for Commerce and Consumer Affairs: This bill is a request of the insurance department. It provides the insurance commissioner with a comprehensive law to administratively supervise an insurer under certain circumstances. Those circumstances include if the insurer's condition renders the continuance of its business hazardous to the public or to its insured; the insurer has exceeded its powers granted under its certificate of authority; the insurer has failed to comply with applicable provisions of the insurance code; the business of the insurer is being conducted fraudulently. Administrative supervision provides the commissioner and insurer the time to develop a course of action to alleviate the conditions giving rise to the supervision in the first instance. During the supervision period, the insurer may contest an action taken or proposed to be taken under administrative supervision. If the supervision fails to correct the condition, the commissioner has other statutory remedies that may be pursued. Vote 16-1.

**HB 231**, relative to reinsurance. **OUGHT TO PASS.**

Rep. Ralph J. Doolan for Commerce and Consumer Affairs: This bill is a request of the insurance department. The bill amends the existing credit for reinsurance law by strengthening the oversight provisions of the law regulating reinsurers that are providing reinsurance to insurers doing business in New Hampshire. House Bill 231 contains language that implements nationally uniform financial regulation standards developed by the National Association of Insurance Commissioners with input from the insurance industry. The law helps to protect New Hampshire's citizens by maintaining the financial solvency of insurers licensed to do business in New Hampshire. House Bill 231 is necessary for the insurance department to retain its accreditation with the National Association of Insurance Commissioners. Vote 16-1.

**HB 237**, relative to home production of liquor and wine for personal or family use. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John B. Hunt for Commerce: The bill, as introduced, allowed for individuals to produce wine and liquor for personal use. Since federal law prohibits home distillery, the amendment removes liquor from the bill. Beer is already permitted under current law, so it is not affected by this legislation. Vote 18-0.

**Amendment (0196h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to home production of wine for personal or family use.

Amend the bill by replacing section 1 with the following:

1 Alcoholic Beverages; Production for Personal or Family Use. Amend RSA 175:5-b to read as follows:

175:5-b Production of Beer *and Wine* for Personal or Family Use.

I. Except as provided in this section, this title shall not apply to the production of beer *or wine other than fortified wine* by persons over 21 years of age for personal or family use, when such beer *or wine* is not offered for sale or sold, when produced in the following aggregate amount per household:

(a) Not in excess of 200 gallons per calendar year if there are 2 or more persons producing beer *or wine* in such household.

(b) Not in excess of 100 gallons per calendar year if there is only one person producing beer *or wine* in such household.

II. It shall be unlawful for any person to produce beer *or wine* for personal or family use in excess of the amounts permitted in paragraph I or to offer for sale or sell such beer *or wine*.

III. Beer *or wine* produced under the provisions of paragraph I may be removed from the premises where made for personal or family use for use at organized home brewing meetings, exhibitions, or competitions, such as homebrewer's contests, tastings, or judgments, and for personal off-premises use. Beer *or wine* used under this paragraph shall not be sold or offered for sale.

## AMENDED ANALYSIS

This bill amends the statute authorizing and regulating home brewing to include the production of wine.

**HB 288-FN**, relative to the department of health and human services promoting awareness of the federal earned income credit. **INEXPEDIENT TO LEGISLATE.**

Rep. Donna L. Schlachman for Commerce and Consumer Affairs: After filing this bill, the sponsor gained new information regarding how best to ensure that taxpayers are informed of earned income credit and requested the committee vote this bill inexpedient to legislate. The committee also heard from the department of health and human services that it already educates all its clients about this tax credit. Vote 17-0.

**HB 301**, relative to notice of sale in foreclosure proceedings. **OUGHT TO PASS.**

Rep. Donna L. Schlachman for Commerce and Consumer Affairs: This bill concerns the rights of individuals whose property is in foreclosure. Currently, a foreclosure sale notice must inform the consumer in writing that they can petition the superior court to stop the sale. What many do not know is that failure on the part of a foreclosed party to institute such a petition for temporary enjoinder means the forfeiture of any future action or right of action against the mortgage holder. This bill adds specific language, already in statute, to the legal notice of sale. The committee heard testimony that without this change, individuals who feel they have been unfairly or illegally foreclosed upon will have no remedy through the courts. Vote 17-1.

**HB 213**, requiring college courses completed by a high school student to be counted in the student's grade point average. **INEXPEDIENT TO LEGISLATE.**

Rep. Anne C. Grassie for Education: The committee believes that school districts across New Hampshire can already offer their students this option through local policy created to serve their needs. A new state law is not required. Vote 17-1.

**HB 214**, relative to the eligibility of high school students enrolled in college courses to participate in high school extracurricular activities. **INEXPEDIENT TO LEGISLATE.**

Rep. Mel Myler for Education: After considering the merits of this bill, the committee felt this was a local issue and that current law (193:1) covers the intent of this proposal. The proposed legislation is not necessary. Vote 18-0.

**HB 371**, repealing the statute recognizing cohabitation as a basis for legal marriage. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlene F. Takesian for Judiciary: This bill redefines a death benefit for a police officer or firefighter killed in the line of duty. In addition, this bill would repeal RSA 457:39, relative to cohabitation as a basis for legal marriage. The committee concluded that this would have an unintended impact on people's rights, property rights, children and heirs of those who rely on RSA 457:39 for those rights. This bill would have totally revised the rights of those couples who cohabitate as their basis for legal marriage. Vote 18-0.

**HB 171**, relative to the civil penalty for failure to make payment of workers' compensation. **OUGHT TO PASS.**

Rep. Christopher R. Andrews for Labor, Industrial and Rehabilitative Services: This legislation requires the commissioner of employment security to assess fines for insurance carriers or self-insurer who without cause fail to make workers compensation payments as required by law. Current statute provides the commissioner discretion to levy fines or not. The committee heard testimony that because the commissioner is not required to impose fines on those in violation there is no ability to gather data about the extent of the issue of non-payment. The commissioner retains the authority to fine from one cent to twenty five hundred dollars. The one word change to statute changes "may" to "shall" to support this endeavor. Vote 16-0.

**HB 172**, requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary L. Daniels for Labor, Industrial and Rehabilitative Services: This bill requires the labor commissioner to maintain statistical information on insurance carriers and self-insurers who are fined in violation of timely payments of workers' compensation. The bill, as amended, requires a report be sent to the Workers Compensation Advisory Council every six months. Vote 18-0.

**Amendment (0193h)**

Amend RSA 282-A: 61, III as inserted by section 1 of the bill by replacing it with the following:

III. The commissioner shall maintain statistical information relating to any insurance carrier or self-insurer who fails to make payment of compensation pursuant to RSA 281-A:28 and RSA 281-A:31. The commissioner shall maintain statistical information relating to the fines assessed and collected on all carriers or self-insurers. The commissioner shall also keep records of any reductions in fines, waivers, and extensions that are granted to all carriers or self-insurers related to industrial accidents for a period of 2 years. The commissioner shall make a report every 6 months relative to the information required to be maintained under this paragraph to the advisory council on workers' compensation, established in RSA 281-A:62.

**HB 187**, relative to deliberative sessions in towns that have adopted official ballot voting. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Linda L. Tanner for Labor, Industrial and Rehabilitative Services: This bill has proposed to address the confusion specifically in HB 2 towns, regarding the legislative body's ability to amend cost items agreed upon by the governing body and the labor groups. This bill, as amended, clarifies that the cost items must be accepted or rejected and may not be amended because a negotiated agreement is a result and balance of all components such as benefits, working conditions as well as cost items. Vote 18-0.

**Amendment (0060h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to cost items in negotiated agreements.

Amend the bill by replacing section 1 with the following:

1 Obligation to Bargain; Modification of Cost Items in Negotiated Agreements. Amend RSA 273-A:3, II(b) to read as follows:

(b) Only cost items shall be submitted to the legislative body of the public employer for approval at the next annual meeting of the legislative body, unless there is an emergency as defined in RSA 31:5 or RSA 197:3. If the legislative body rejects ~~[any part of]~~ the submission, or while accepting the submission takes any action which would result in a modification of the terms of the cost item submitted to it, either party may reopen negotiations on ~~[all or part of]~~ the entire agreement. *No cost item agreed to by the public employer and the employee organization shall be modified by the legislative body of such public employer.*

**HB 246**, relative to falsity by employer. **OUGHT TO PASS.**

Rep. Linda A. DiSilvestro for Labor, Industrial and Rehabilitative Services: This bill moves the penalty clause to the end of the list of violations for which the penalty is assessed. In current statute, the penalty "shall be guilty of an offense as provided in paragraph II" appears before the final item for which a penalty can be assessed. Passage of this bill would allow the words "shall be guilty of an offense as provided in paragraph II" to be moved to the bottom of the list of items for which a penalty can be assessed more clearly indicating the entire list is subject to the penalty. Vote 19-0. Referred to the Committee on Criminal Justice and Public Safety.

**HB 129**, relative to access to galleries in the general court. **INEXPEDIENT TO LEGISLATE.**

Rep. Joel F. Winters for Legislative Administration: The committee shared the sponsor's concern about open access to the galleries, but did not agree with the proposed legislative solution. This bill would require the house or senate to go into recess for any disruption, a decision which the committee thought was better left up to the presiding officer. In cases of abuse of the authority of the presiding officer, we heard testimony that judicial orders could be sought to reopen the gallery to the public, as required by part 2, article 8 of the New Hampshire Constitution. Vote 9-0.

**HB 310**, relative to application of laws on employment to the members of the house of representatives. **INEXPEDIENT TO LEGISLATE.**

Rep. George A. Lambert for Legislative Administration: The committee saw no compelling need to redefine employment to exclude members of the house of representatives from the term employment for matters of compensation and employment. The term "employment" already excludes services performed by an individual in the exercise of duties as a member of a state legislative body under current rules by the department of employment security. Vote 11-0.

**HB 138**, permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article on the official ballot. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bruce L. Tatro for Municipal and County Government: This bill permits towns that use an official ballot to print a shorter description of an article instead of the entire text of the article. If a person wishes to read the entire text, a copy will be available at the polls. The amendment enables, rather than requires the use of a topical description on official ballot warrant articles and clarifies that the topical descriptions apply only to ordinances and not to all warrant articles. Vote 16-0.

#### **Amendment (0059h)**

Amend the title of the bill by replacing it with the following:

AN ACT permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot.

Amend the bill by replacing all after the enacting clause with the following:

1 Use of Official Ballot; Form of Warrant. Amend RSA 40:13, VI to read as follows:

VI. All warrant articles shall be placed on the official ballot for a final vote, including warrant articles as amended by the first session. All special warrant articles shall be accompanied on the ballot by recommendations as required by RSA 32:5, V, concerning any appropriation or appropriation as amended. *A topical description of the substance of all warrant articles for the adoption of ordinances may be placed on the official ballot for a vote, including such articles as amended at the first session.*

2 New Paragraph; Use of Official Ballot; Official Copies Placed on File. Amend RSA 40:13 by inserting after paragraph VII the following new paragraph:

VII-a. Official copies of all ordinance warrant articles using topical descriptions, including topical descriptions of ordinance warrant articles as amended by the first session, shall be placed on file and made available to the public at the office of the clerk of the political subdivision not later than one week prior to the date of the second session of the annual meeting. An official copy of the warrant including the full text of all ordinance warrant articles using a topical description shall be on display for the voters at the meeting place on the date of the meeting.

3 Use of Official Ballot; Question Submitted. RSA 40:13, VIII is repealed and reenacted to read as follows:

VIII. The clerk of the local political subdivision shall prepare an official ballot, which may be separate from the official ballot used to elect officers, for all warrant articles. The issue shall be presented to the voters by including the following question on the official ballot as prepared by the clerk of the political subdivision:

“Are you in favor of the warrant as proposed by the selectmen?” In the event that there shall be more than a single proposed warrant to be submitted to the voters at any given meeting, the issue as to the several warrants shall be put in the following manner: “Are you in favor of the adoption of Warrant No. \_\_\_\_ as proposed by the selectmen as follows: (Here insert warrant or topical description pursuant to paragraph VI.)?” If such action is to be taken at a meeting other than the one at which officers are to be elected, the clerk shall prepare a special ballot containing the question or questions above stated, and the meeting shall open not later than noon and shall remain open at least 8 hours. If a majority of the voters present and voting on any question as herein provided shall vote in the affirmative, the warrant article shall be declared to have been adopted. When submitting any question to the voters under this section, there shall be 2 squares printed after the question, one with the word “yes” beside it and another with the word “no” beside it.

4 Effective Date. This act shall take effect 60 days after its passage.

#### **AMENDED ANALYSIS**

This bill permits any town that has adopted official ballot voting to use a topical description of the substance of a warrant article on the official ballot.

**HB 182**, relative to appointments to the assessing standards board. **OUGHT TO PASS.**

Rep. Bruce L. Tatro for Municipal and County Government: This bill will allow towns of less than 3000 to appoint an assessing official to the board. The only change is the population requirement from 5,000 to 3,000. Vote 16-0.

**HB 208**, relative to annual reports of county officers. **OUGHT TO PASS.**

Rep. Kathleen M. Stroud for Municipal and County Government: This bill allows the collected annual reports of county officers to be printed by the sixth month following the close of the county fiscal year. Current law requires printing by the third month, but changes in accounting rules require this change in the timeline. Vote 15-1.

**HB 235**, allowing counties to contract for professional real estate services for the sale or lease of county property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James P. Belanger for Municipal and County Government: This bill allows any county to procure the services of a professional real estate agent to market county property for sale or lease without getting competitive bids. It is simply not practical to get multiple real estate agents to bid on marketing property and it is not practical to request competitive bids on the leasing of property. To expect multiple potential tenants for leasing space is unlikely. When a lease price is advertised, and a tenant accepts, the county should be able to lease at that amount without bids. The amendment adds a cross reference to the existing statute on competitive bidding on sales and leases of real property. Vote 16-0.

#### **Amendment (0051h)**

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Competitive Bidding on Sales and Leases. Amend RSA 28:8-c to read as follows:

28:8-c Competitive Bidding on Sales and Leases of Real Property. To transfer a valid interest, a sale or lease of real property owned by a county shall be made by the county commissioners by competitive bidding *or in accordance with RSA 28:6-a* and shall be ratified by a majority vote of the county convention and the executive committee of the county convention.

**HB 244-FN**, establishing the purple heart toll pass for qualifying veterans. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin T. Tilton for Public Works and Highways: The committee members are grateful for the service and recognize the sacrifice of purple heart veterans; however, the committee has been confronted with similar requests for other very deserving groups. To single out purple heart veterans would not be fair to others, such as gold star mothers and other veteran groups. The fragile status of the turnpike fund does not allow for granting exceptions. The committee and the House have consistently declined to approve these requests. Vote 14-0.

**HB 262**, establishing a committee to study the construction of a permanent memorial to Governor John Gilbert Winant on state property other than the state house grounds. **OUGHT TO PASS.**

Rep. Peter E. Ramsey for Public Works and Highways: This bill establishes a committee to study the construction of a memorial for the late statesman and Governor John Gilbert Winant on state land at no state expense. Governor Winant was a remarkable public servant. He was raised in Concord, NH, attended St. Paul's school and went onto Princeton University. He was elected to the NH House of Representatives in 1916, then joined the US Army Air Service where he became a pilot and Captain of 8th Aero Squadron in France during World War I. He returned from the war and was elected to the NH Senate in 1920, then as the youngest governor in America in 1925 and sworn in again later from 1931-1935, during the great depression. His national reputation as a progressive governor convinced President Franklin D. Roosevelt to appoint Winant to be the first head of the Social Security Board in 1935. In 1937, he was elected to head the International Labor Office in Geneva, Switzerland until 1939. He then was appointed Ambassador to Britain to replace Joseph P. Kennedy and went on to be revered by the people of England as a symbol of American support for their war efforts, especially during the dark days and long nights of the German bomb blitz. He was a progressive Republican and became loved by citizens on both sides of the Atlantic Ocean. President Truman appointed him US Representative to UNESCO in 1946 and a year later he became only the second American citizen, after General Dwight Eisenhower, to be made an honorary member of the Order of Merit by the King of England. He then returned to Concord after a love affair with Winston Churchill's daughter, Sarah, ended badly. He took his own life at 58 years old, worn out by his long war service, his wife's refusal of divorce and broken hearted by his love's dismissal and the end of his public service. He is buried at St. Paul's school. Vote 14-1.

**HB 340-FN-A**, relative to resurfacing a portion of East Conway Road and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.**

Rep. David B. Campbell for Public Works and Highways: The committee voted against this bill which called for a 2.5 million dollar highway fund appropriation to fund the reconstruction of 3.8 miles of East Conway Road in Conway because it jumps this very poor stretch of road ahead of other projects in the 10-year transportation plan and on the betterment list for DOT District 3. The

committee, however, is very aware of and sympathetic to the condition of this road and the need to repair it. However, DOT testified that there are approximately 100 miles in each of the DOT districts in a similar very poor condition. There is not enough money to fix them. Of the 4500 miles of state roads, over 1600 (in excess of 1/3) are now in poor condition (requiring some major work). It costs approximately \$50,000 per mile to pave a road on an 8-10 year schedule and up to one million dollars per mile for roads that need to be totally reconstructed. The repair of the 3.8 miles of East Conway Road is estimated to cost over \$650,000 per mile. This bill underscores the consequences of underfunding our state roads. Under current funding levels, the state is on a 13-15 year repaving cycle, which results in more miles of roads requiring more expensive repairs each year. Vote 15-0.

**HB 130**, relative to upgrading the wiring of retail service stations to support generators or alternate power sources. **INEXPEDIENT TO LEGISLATE.**

Rep. Nickolas J. Levasseur for Science, Technology and Energy: This bill would have required that retail fuel stations install wiring which would allow them to continue operations in the event of a power outage. The committee heard testimony that these installations could cost the station owners \$12,000 to \$20,000 per station. The committee heard further testimony that this would be an unaffordable burden for many small, independent owners and may even force some to close. This would have the effect of reducing the overall availability of fuel in some areas. Ultimately, the committee felt that this was a business decision that should be made by individual station owners and not something that should be mandated by the state. Vote 18-0.

**HB 272-FN**, relative to registration of aircraft based in another state. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael B. O'Brien for Transportation: This bill would have authorized a waiver of the aircraft registration and the aircraft operating fees for aircraft owned by New Hampshire residents but based in another state. The committee believed, if passed, some aircraft owners would move their aircraft to another state, depleting registration fees. These registration fees are critical to the operation of our airports from our largest to the smallest. The aeronautical fund assists these airports in funding upgrades to safety and airport equipment. Thus, the committee unanimously agrees with the current law and registration practices. Vote 17-0.

## REGULAR CALENDAR SPECIAL ORDERED

Without objection, the Speaker made **HB 220**, relative to the New Hampshire medal of honor, a special order as the next order of business.

### SPECIAL ORDER

**HB 220**, relative to the New Hampshire medal of honor. **OUGHT TO PASS.**

Rep. Leon H. Rideout for State-Federal Relations and Veterans Affairs: This bill amends RSA 110-B:81 by removing the wording that allows the awarding of the New Hampshire medal of honor for training deaths. While the committee feels that any death of a military member is tragic, the committee was unanimous in the decision that the New Hampshire medal of honor should be reserved for those that have given the ultimate sacrifice on a battlefield in the defense of our nation. All testimony during the hearing concurred with the committee's decision. Vote 12-0.

Rep. Rollins spoke in favor.

Committee report adopted and ordered to third reading.

## SPECIAL GUESTS

The Speaker introduced special guests, Rhonda Rollins and Brittney Murphy, mother and girlfriend of Specialist Justin Rollins, the son of Rep. Rollins.

## MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Rollins be printed in the Permanent Journal. Adopted.

## REMARKS

**Rep. Rollins:** Thank you, Madam Speaker. Madam Speaker, ladies and gentlemen of the House, I am honored to stand here before you today and say that I had a son who served his country. At a

young age he had all of the qualities that embody the American soldier. He was charismatic, he was intelligent, he was courageous and he was full of promises. Most promising was his future. He was a man of his word and me of mine. Before his deployment to Iraq we had an honest conversation with one another and it was then that I made promises to him that I had hoped I'd never have to honor, but on Monday, March 5<sup>th</sup>, 2007, my son, Specialist Justin Allan Rollins, was killed in action with six of his best friends in the City of Samarra by a roadside bomb. Those promises have been something I've never been able to forget. First, he asked that if he did not make it home to be laid to rest in Arlington. For, as he said, "There is no greater honor than to be buried in Arlington National Cemetery." Second, he made me promise to always take care of Brittney, his girlfriend and the love of his life. And third, he made me swear to take good care of his dog, Kayla Buddy. He then made me a promise. It was not a promise unique to my son, but a promise unique to all the men and women who serve this country. He said, "Dad, I promise you that while I'm in Iraq, I will leave no man behind, and if I don't make it home because of this I hope that you and mom can understand that this is my duty as a soldier and a promise that I have made to my men." Ladies and gentlemen, Justin's story is just one of many during a time of war. It's a story of a boy who put duty and country before his own life. Justin kept his promise to me, his men and his country and in return, on March 19<sup>th</sup>, 2007, the fourth anniversary of the invasion of Iraq, he was laid to rest with full military honors in Arlington National Cemetery. Brittney is still and will always be a member of our family. In fact, she's sitting here today and Kayla Buddy, well, she lived to the ripe old age of 14 and her ashes are spread out on Justin's site, where together they will rest for all eternity. Ladies and gentlemen, I ask that today you make a promise. I ask that you promise to safeguard the honor and the sacrifice of the men and women of New Hampshire who fight for our country by supporting House Bill 220. Let us promise future veterans, who may give their tomorrows for our todays in the only way that they should be remembered, with the same honor in which they serve, by allowing only those who are killed in action to be awarded the New Hampshire Medal of Honor. My son's legacy is his honor and today is your opportunity to help me in my life journey of protecting it. Please vote yes for House Bill 220.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of those who serve and give the ultimate sacrifice for our country.

### REGULAR CALENDAR (CONT'D)

**HB 402**, relative to complaint investigation procedures of the guardian ad litem board. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mary Beth E. Walz for the Majority of Children and Family Law: Presently, the guardian ad litem board reviews all complaints filed. However, the board may dismiss, without prejudice, any complaint that relates to a case that is pending in the courts. This bill would force the board to investigate all complaints against a guardian ad litem (GAL) regardless of a pending trial or judicial proceeding. The committee heard testimony that disgruntled parties file complaints to go GAL shopping when they are unhappy with the recommendation of their GAL. Presently, there are two backstops to ensure that a misbehaving GAL can be disciplined during the pendency of a court case. The GAL board conducts a full review of the complaint prior to dismissal. Also, a party may ask for relief from the judge in the ongoing case. Furthermore, after the conclusion of the court case, the complainant may re-file their complaint which will then be fully investigated by the GAL board. Because of all of these protections for the complainant, and because of the high likelihood of abuse of the complaint process, the committee overwhelmingly voted to maintain the current law. Vote 15-1.

Rep. Stella S. Tremblay for the Minority of Children and Family Law: At present a complaint investigation of alleged improprieties of a guardian ad litem must wait until the divorce case pending in court is concluded and often this is too late. A biased report of the guardian ad litem may affect the outcome of the case and harm the children. Currently, the board is required to dismiss complaints in "active cases," unless deemed deserving of investigation. This bill directs the guardian ad litem board to investigate a complaint during a divorce trial, ensuring accountability, transparency and serving as a deterrent to a guardian ad litem that may take sides in a divorce case. We do not believe this will encourage parties to "guardian" shop when they do not like the outcome, but will be a step in accountability.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Oligny requested a roll call; sufficiently seconded.

**YEAS 244 NAYS 99****YEAS 244****BELKNAP**

Arsenault, Beth  
Flanders, Donald  
Raymond, Ian

Burchell, Richard  
Gulick, Ruth  
Tilton, Franklin

DiMartino, Lisa  
Holmes, Stephen

Fields, Dennis  
Huot, David

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
White, Syndi

Buco, Thomas  
Morrow, Harry

Butler, Edward  
Schmidt, Stephen

Chandler, Gene  
Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Carroll, Douglas  
Cote, David  
Gage, Ruth  
Gorman, Mary  
Hammond, Jill  
Jasper, Shawn  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Stroud, Kathleen  
Vail, Suzanne  
Woodbury, David

Barry, Richard  
Boisvert, Ronald  
Cebrowski, John  
Danielson, David  
Gagne, Larry  
Grady, Brenda  
Hansberry, Daniel  
Judy, Jean  
Levasseur, Nickolas  
MacKay, Mariellen  
Murotake, David  
Pellegrino, Tony  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Daniel  
Walsh, Robert Jr

Beaulieu, Jane  
Byron, Frank  
Chandle, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Graham, John  
Heden, Ruth  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murphy, Kelleigh  
Porter, Marjorie  
Rowe, Robert  
Soucy, Timothy  
Sullivan, Peter  
Williams, Kermit

Belanger, James  
Campbell, David  
Connor, Evelyn  
Dobson, Jeremy  
Goley, Jeffrey  
Haefner, Robert  
Jack, Martin  
Kurk, Neal  
Levesque, Melanie  
Marston, Dick  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Spratt, Stephen  
Takesian, Charlene  
Winters, Joel

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott

Andrews, Christopher  
Carey, Lorrie

Bartlett, Christy  
Carson, Clyde

Bouchard, Candace  
Davis, Frank



Ebel, Karen  
 Gile, Mary  
 Hunt, Jane  
 Kotowski, Frank  
 Myler, Mel  
 Rogers, Katherine  
 Turcotte, Alan  
 Watrous, Rick

Frambach, Mary  
 Henle, Paul  
 Karrick, David Jr  
 MacKay, James  
 Patten, Dick  
 Schamberg, Thomas  
 Wallner, Mary Jane  
 Webb, Leigh

Frazer, June  
 Hess, David  
 Kelly, Sally  
 McGuire, Carol  
 Ratzki, Mario  
 Schuett, Dianne  
 Walsh, Thomas IV

French, Barbara  
 Hirsch, Geoffrey  
 Kidder, David  
 Moffett, Howard  
 Rice, Chip  
 Shurtleff, Stephen  
 Walz, Mary Beth

## ROCKINGHAM

Andrews-Ahearn, E. Elaine  
 Cahill, Michael  
 Cushing, Robert Jr  
 Emerson-Brown, Rebecca  
 Heffron, Frank  
 Mann, Maureen  
 Muns, Chris  
 Pantelakos, Laura  
 Schlachman, Donna  
 Wazlaw, Brian

Belanger, Ronald  
 Cali-Pitts, Jacqueline  
 DeSimone, Debra  
 Flockhart, Eileen  
 Helmstetter, Barbara  
 McKinney, Betsy  
 Nigrello, Robert  
 Peckham, Michele  
 Sweeney, Joe  
 Whittemore, Lisa

Borden, David  
 Charron, Gene  
 Elliott, Robert  
 Garcia, Marilinda  
 Khan, Aboul  
 Milz, David  
 O'Connor, John  
 Sanders, Elisabeth  
 Till, Mary

Briden, Steven  
 Copeland, Timothy  
 Emerick, J. Tracy  
 Grace, Curtis  
 Lovejoy, Patricia  
 Moody, Marcia  
 Packard, Sherman  
 Scarlotto, Joe  
 Ward, Gerald

## STRAFFORD

Baber, William  
 Burke, Rachel  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rollo, Deanna  
 Spang, Judith

Berube, Roger  
 Ginsburg, Philip  
 Hubbard, Pamela  
 Miller, David  
 Schmidt, Peter  
 Stevens, Audrey

Bixby, Peter  
 Gray, James  
 Kaen, Naida  
 Perry, Robert  
 Smith, Marjorie  
 Verschuere, James

Burdwood, Greg  
 Hooper, Dorothea  
 Ketel, Stephen  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

## SULLIVAN

Cloutier, John  
 Lefebvre, Benjamin  
 Sweeney, Cynthia

Gagnon, Raymond  
 O'Hearne, Andrew  
 Tanner, Linda

Grenier, James  
 Rollins, Skip

Irwin, Virginia  
 Schmidt, Andrew

## NAYS 99

### BELKNAP

Comtois, Guy  
 Luther, Robert

Cormier, Jane  
 Sylvia, Michael

Fink, Charles  
 Vadney, Herbert

Greemore, Robert Jr  
 Worsman, Colette

### CARROLL

Cordelli, Glenn  
 Wright, Donald

McConkey, Mark

Nelson, Bill

Umberger, Karen

## CHESHIRE

Hunt, John

## COOS

Rappaport, Laurence

Rideout, Leon

## GRAFTON

## HILLSBOROUGH

Burt, John  
 Daniels, Gary  
 Hinch, Richard  
 LeBrun, Donald

Christiansen, Lars  
 Flanagan, Jack  
 Hopper, Gary  
 McCarthy, Michael

Coffey, James  
 Garcia, Michael  
 Infantine, William  
 Meaney, Richard

Culbert, Patrick  
 Hansen, Peter  
 Lambert, George  
 Murphy, Keith

Notter, Jeanine  
Ober, Russell III  
Pratt, Calvin  
Souza, Kathleen  
Vaillancourt, Steve

O'Brien, William  
Palmer, Stephen  
Renzullo, Andrew  
Straight, Philip  
Villeneuve, Moe

O'Flaherty, Tim  
Parison, James  
Sanborn, Laurie  
Sweeney, Shawn  
Warden, Mark

Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Ulery, Jordan  
Willette, Robert

### MERRIMACK

Hoell, J.R.

Reed, Dennis

Smith, Todd

### ROCKINGHAM

Abрами, Patrick  
Birdsell, Regina  
Ferrante, Beverly  
Hagan, Joseph  
Introne, Robert  
Major, Norman  
Perkins, Lawrence  
Sedensky, John  
Tucker, Pamela

Allen, Mary  
Comerford, Timothy  
Fesh, Robert  
Harris, Jeffrey  
Kappler, Lawrence  
McMahon, Charles  
Rice, Frederick  
St.James, Kevin  
Waterhouse, Kevin

Baldasaro, Alfred  
Devine, James  
Gordon, Richard  
Hodgdon, Bruce  
Kolodziej, Walter  
Oligny, Jeffrey  
Sapareto, Frank  
Tasker, Kyle  
Webb, James Sr

Bick, Patrick  
Duarte, Joe  
Griffin, Mary  
Hoelzel, Kathleen  
Lundgren, David  
Perkins, Amy  
Schroadter, Adam  
Tremblay, Stella  
Weyler, Kenneth

### STRAFFORD

Bickford, David  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

Mullen, John Jr

### SULLIVAN

Smith, Steven  
and the majority committee report was adopted.

**HB 418**, establishing a committee to study a program to address children in need. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Beth E. Walz for Children and Family Law: In 1979 the state created a program for children in need of services (CHINS). This gave the court jurisdiction over children under 18 to provide for the treatment, care, guidance, counseling, discipline, supervision and rehabilitation they need. This bill establishes a legislative study committee to look at best practices to see if there is a more effective way to provide these services in New Hampshire. The committee has a reporting date of November 1, 2013. There is broad support for this study. The amendment adds one House member and adds the Chief Justice of the Supreme Court as a recipient of the report. Vote 15-3.

### Amendment (0152h)

Amend subparagraph I(a) of section 2 of the bill by replacing it with the following:

(a) Five members of the house of representatives, appointed by the speaker of the house of representatives.

Amend the bill by replacing section 5 with the following:

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, the chief justice of the supreme court, and the state library on or before November 1, 2013.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Walz requested a roll call; sufficiently seconded.

**YEAS 293 NAYS 50**

### YEAS 293 BELKNAP

Arsenault, Beth  
Fink, Charles  
Huot, David

Burchell, Richard  
Flanders, Donald  
Luther, Robert

DiMartino, Lisa  
Gulick, Ruth  
Raymond, Ian

Fields, Dennis  
Holmes, Stephen

**CARROLL**

Ahlgren, Christopher  
Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

Buco, Thomas  
Lavender, Tom  
Ticehurst, Susan

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
White, Syndi

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne  
Thomas, Yvonne

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Rideout, Leon

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Carroll, Douglas  
Coffey, James  
Danielson, David  
Gage, Ruth  
Grady, Brenda  
Heden, Ruth  
Jasper, Shawn  
Kurk, Neal  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murphy, Kelleigh  
O'Brien, William  
Pellegrino, Tony  
Rosenwald, Cindy  
Shattuck, Gilman  
Stroud, Kathleen  
Takesian, Charlene  
Willette, Robert

Barry, Richard  
Boisvert, Ronald  
Cebrowski, John  
Connor, Evelyn  
DiSilvestro, Linda  
Gagne, Larry  
Haefner, Robert  
Hinch, Richard  
Jeudy, Jean  
LeBrun, Donald  
Levesque, Melanie  
Marston, Dick  
Nelson, Mary  
O'Flaherty, Tim  
Porter, Marjorie  
Rowe, Robert  
Smith, Timothy  
Sullivan, Daniel  
Vail, Suzanne  
Williams, Kermit

Beaulieu, Jane  
Byron, Frank  
Chandley, Shannon  
Cote, David  
Dobson, Jeremy  
Gale, Sylvia  
Hammond, Jill  
Hopper, Gary  
Katsiantonis, Thomas  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
Notter, Jeanine  
Ober, Lynne  
Ramsey, Peter  
Sanborn, Laurie  
Soucy, Timothy  
Sullivan, Peter  
Villeneuve, Moe  
Winters, Joel

Belanger, James  
Campbell, David  
Christiansen, Lars  
Culbert, Patrick  
Flanagan, Jack  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Knowles, Mary Ann  
Levasseur, Nickolas  
MacKay, Mariellen  
Murotake, David  
O'Brien, Michael Sr  
Parison, James  
Rhodes, Brian  
Schmidt, Janice  
Spratt, Stephen  
Sweeney, Shawn  
Walsh, Robert Jr  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Patten, Dick  
Schamberg, Thomas  
Wallner, Mary Jane  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas IV

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan  
Watrous, Rick

**ROCKINGHAM**

Abrami, Patrick  
 Belanger, Ronald  
 Briden, Steven  
 Copeland, Timothy  
 Duarte, Joe  
 Fesh, Robert  
 Griffin, Mary  
 Helmstetter, Barbara  
 Khan, Aboul  
 Mann, Maureen  
 Moody, Marcia  
 Packard, Sherman  
 Sanders, Elisabeth  
 Schroadter, Adam  
 Till, Mary  
 Wazlaw, Brian

Allen, Mary  
 Bick, Patrick  
 Cahill, Michael  
 Cushing, Robert Jr  
 Emerick, J. Tracy  
 Flockhart, Eileen  
 Hagan, Joseph  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 McKinney, Betsy  
 Muns, Chris  
 Pantelakos, Laura  
 Sapareto, Frank  
 St. James, Kevin  
 Tremblay, Stella  
 Webb, James Sr

Andrews-Ahearn, E. Elaine  
 Birdsell, Regina  
 Cali-Pitts, Jacqueline  
 DeSimone, Debra  
 Emerson-Brown, Rebecca  
 Garcia, Marilinda  
 Harris, Jeffrey  
 Introne, Robert  
 Lovejoy, Patricia  
 McMahon, Charles  
 Nigrello, Robert  
 Peckham, Michele  
 Scarlotto, Joe  
 Sweeney, Joe  
 Ward, Gerald  
 Whitemore, Lisa

Baldasaro, Alfred  
 Borden, David  
 Charron, Gene  
 Devine, James  
 Ferrante, Beverly  
 Grace, Curtis  
 Heffron, Frank  
 Kappler, Lawrence  
 Major, Norman  
 Milz, David  
 O'Connor, John  
 Perkins, Amy  
 Schlachman, Donna  
 Sytek, John  
 Waterhouse, Kevin

**STRAFFORD**

Baber, William  
 Burdwood, Greg  
 Hooper, Dorothea  
 Kaen, Naida  
 Perry, Robert  
 Schmidt, Peter  
 Stevens, Audrey

Berube, Roger  
 Burke, Rachel  
 Horrigan, Timothy  
 Ketel, Stephen  
 Pitre, Joseph  
 Smith, Marjorie  
 Verschueren, James

Bickford, David  
 Ginsburg, Philip  
 Hubbard, Pamela  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Bixby, Peter  
 Gray, James  
 Jones, Laura  
 Miller, David  
 Rollo, Deanna  
 Spang, Judith

**SULLIVAN**

Cloutier, John  
 Lefebvre, Benjamin  
 Smith, Steven

Gagnon, Raymond  
 O'Hearne, Andrew  
 Sweeney, Cynthia

Grenier, James  
 Rollins, Skip  
 Tanner, Linda

Irwin, Virginia  
 Schmidt, Andrew

**NAYS 50****BELKNAP**

Comtois, Guy  
 Tilton, Franklin

Cormier, Jane  
 Vadney, Herbert

Greemore, Robert Jr  
 Worsman, Colette

Sylvia, Michael

**CARROLL**

Schmidt, Stephen

**CHESHIRE**

Hunt, John

**COOS**

None

**GRAFTON**

None

**HILLSBOROUGH**

Burt, John  
 Hansen, Peter  
 Meaney, Richard  
 Peterson, Lenette  
 Souza, Kathleen  
 Warden, Mark

Daniels, Gary  
 Infantine, William  
 Murphy, Keith  
 Pratt, Calvin  
 Straight, Philip

Garcia, Michael  
 Lambert, George  
 Ober, Russell III  
 Renzullo, Andrew  
 Ulery, Jordan

Graham, John  
 McCarthy, Michael  
 Palmer, Stephen  
 Sandblade, Emily  
 Vaillancourt, Steve

**MERRIMACK**

Hoell, J.R.

McGuire, Carol

Reed, Dennis

Smith, Todd

**ROCKINGHAM**

Comerford, Timothy

Elliott, Robert

Gordon, Richard

Hodgdon, Bruce

Itse, Daniel

Lundgren, David

Oigny, Jeffrey

Perkins, Lawrence

Rice, Frederick

Sedensky, John

Tasker, Kyle

Tucker, Pamela

Weyler, Kenneth

**STRAFFORD**

Groen, Warren

Mullen, John Jr

Parsons, Robbie

**SULLIVAN**

None

and the committee report was adopted and ordered to third reading.

**HB 303**, establishing a committee to study the teaching of a second language beginning in kindergarten. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Rick M. Ladd for the Majority of Education: The committee majority recognizes benefits associated with teaching a second language in kindergarten and in subsequent grades. Current education rules as approved by the state board of education currently state that a local school board may provide instruction in one or more world languages in an elementary school and later years. The extent of this instruction and the students to whom it is offered shall be determined by local school board policy. This is a local district policy and funding decision. A committee study is therefore, not necessary. Vote 11-7.

Rep. June M. Frazer for the Minority of Education: This bill was a response to a recommendation by the legislative youth advisory council, 19 young people appointed by the governor, the president of the senate, the speaker of the house, or the secretary of state. The commissioner of education was enthusiastic when the youth council talked about it to her. The seven members initially supporting the bill argued that the great advantages of early world language learning, for example – promoting greater language ability in later grades and enriching brain development, would make the research of the proposed study committee a valuable resource to local school districts interested in such a program.

**MOTION TO SPECIAL ORDER**

Rep. Gile moved that **HB 303**, establishing a committee to study the teaching of a second language beginning in kindergarten, be made a Special Order to Wednesday, February 20, 2013 in its Regular Calendar order.

Rep. Gile spoke in favor.

Adopted.

**REGULAR CALENDAR (CONT'D)**

**HB 311**, establishing a statutory expectation of privacy in personal materials. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary: This bill establishes an expectation of privacy in certain “personal materials” such as fingerprints, saliva, hair and household papers unless a warrant is supported by probable cause issues. Breaches of this privacy right are punishable as a class B misdemeanor or class B felony for subsequent violations. The committee was unable to foresee and appreciate the ramifications of this bill and felt that too many unanswered questions remained to support passage. Vote 15-4.

On a division vote, 206 members having voted in the affirmative and 129 in the negative, the committee report was adopted.

**HB 387**, relative to immunity of guardians ad litem. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Paul S. Berch for the Majority of Judiciary: Current New Hampshire law, based upon New Hampshire Supreme Court decision, recognizes quasi-judicial immunity for guardians ad litem in the performance of their duties. This bill would reduce the immunity so as to allow suits against guardians for certain negligent, corrupt or malicious acts. This immunity, as it currently exists,

protects the guardian ad litem acts of investigating, meeting with children, making reports and testifying. In doing so, the guardians ad litem act as agents of the courts, and hired by the courts, not by the parties before the court. Further, the committee noted that there are other sanctions that can be imposed, including by the court. The committee was also concerned that fear of lawsuits might deter citizens from serving this important function. Vote 15-2.

Rep. Michael J. Sylvia for the Minority of Judiciary: This bill would protect guardians ad litem by providing judicial immunity. It also provides a measure of accountability by removing their judicial immunity in the event of grossly negligent, malicious, or corrupt acts.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Oligny requested a roll call; sufficiently seconded.

## YEAS 245 NAYS 101

### YEAS 245

#### BELKNAP

Arsenault, Beth  
Gulick, Ruth  
Tilton, Franklin

DiMartino, Lisa  
Huot, David  
Worsman, Colette

Fields, Dennis  
Luther, Robert

Flanders, Donald  
Raymond, Ian

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Ticehurst, Susan

Buco, Thomas  
Merrow, Harry  
Umberger, Karen

Butler, Edward  
Nelson, Bill  
White, Syndi

Chandler, Gene  
Schmidt, Stephen

#### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Hatch, William

#### GRAFTON

Aguiar, James  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

#### HILLSBOROUGH

Backus, Robert  
Boisvert, Ronald  
Chandley, Shannon  
Danielson, David  
Gale, Sylvia  
Graham, John  
Heden, Ruth  
Katsiantonis, Thomas  
Levasseur, Nickolas  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice

Barry, Richard  
Byron, Frank  
Connor, Evelyn  
DiSilvestro, Linda  
Goley, Jeffrey  
Haefner, Robert  
Jack, Martin  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman

Beaulieu, Jane  
Campbell, David  
Cote, David  
Flanagan, Jack  
Gorman, Mary  
Hammond, Jill  
Jasper, Shawn  
Kurk, Neal  
Levesque, Melanie  
Marston, Dick  
Pellegrino, Tony  
Rosenwald, Cindy  
Smith, Timothy

Belanger, James  
Carroll, Douglas  
Culbert, Patrick  
Gage, Ruth  
Grady, Brenda  
Hansberry, Daniel  
Jeudy, Jean  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
Porter, Marjorie  
Rowe, Robert  
Soucy, Timothy

Spratt, Stephen  
Vail, Suzanne  
Winters, Joel

Sullivan, Daniel  
Walsh, Robert Jr  
Woodbury, David

Sullivan, Peter  
Willette, Robert

Takesian, Charlene  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Patten, Dick  
Rogers, Katherine  
Smith, Todd  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Copeland, Timothy  
Elliott, Robert  
Fesh, Robert  
Heffron, Frank  
Mann, Maureen  
Muns, Chris  
Pantelakos, Laura  
Scarlotta, Joe  
Sytek, John  
Webb, James Sr

Belanger, Ronald  
Cahill, Michael  
Cushing, Robert Jr  
Emerick, J. Tracy  
Flockhart, Eileen  
Helmstetter, Barbara  
McKinney, Betsy  
Nigrello, Robert  
Peckham, Michele  
Schlachman, Donna  
Till, Mary  
Whitemore, Lisa

Bick, Patrick  
Cali-Pitts, Jacqueline  
Devine, James  
Emerson-Brown, Rebecca  
Grace, Curtis  
Khan, Aboul  
McMahon, Charles  
O'Connor, John  
Sanders, Elisabeth  
St.James, Kevin  
Ward, Gerald

Borden, David  
Charron, Gene  
Dumaine, Dudley  
Ferrante, Beverly  
Griffin, Mary  
Lovejoy, Patricia  
Moody, Marcia  
Packard, Sherman  
Sapareto, Frank  
Sweeney, Joe  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Berube, Roger  
Ginsburg, Philip  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Bixby, Peter  
Hooper, Dorothea  
Ketel, Stephen  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Burdwood, Greg  
Horrigan, Timothy  
Malloy, Dennis  
Rollo, Deanna  
Spang, Judith

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
Tanner, Linda

Grenier, James  
Rollins, Skip

Irwin, Virginia  
Schmidt, Andrew

Lefebvre, Benjamin  
Sweeney, Cynthia

### NAYS 101

### BELKNAP

Burchell, Richard  
Greemore, Robert Jr

Comtois, Guy  
Holmes, Stephen

Cormier, Jane  
Sylvia, Michael

Fink, Charles  
Vadney, Herbert

### CARROLL

Cordelli, Glenn

Lavender, Tom

Wright, Donald

### CHESHIRE

Hunt, John

### COOS

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bradley, Lester	Brown, Rebecca	Doolan, Ralph Jr	Gionet, Edmond
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**HILLSBOROUGH**

Boehm, Ralph	Burt, John	Christiansen, Lars	Coffey, James
Daniels, Gary	Dobson, Jeremy	Gagne, Larry	Garcia, Michael
Hansen, Peter	Hinch, Richard	Hopper, Gary	Infantine, William
Lambert, George	LeBrun, Donald	McCarthy, Michael	Meaney, Richard
Murotake, David	Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine
O'Brien, William	O'Flaherty, Tim	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Parison, James	Peterson, Lenette	Pratt, Calvin
Renzullo, Andrew	Sanborn, Laurie	Sandblade, Emily	Souza, Kathleen
Straight, Philip	Stroud, Kathleen	Sweeney, Shawn	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark	

**MERRIMACK**

Hoell, J.R.	McGuire, Carol	Reed, Dennis	Walsh, Thomas IV
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**ROCKINGHAM**

Abрами, Patrick	Allen, Mary	Baldasaro, Alfred	Birdsell, Regina
Comerford, Timothy	DeSimone, Debra	Duarte, Joe	Garcia, Marilinda
Gordon, Richard	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Lundgren, David	Major, Norman	Milz, David
Oligny, Jeffrey	Perkins, Amy	Perkins, Lawrence	Rice, Frederick
Schroadter, Adam	Sedensky, John	Tasker, Kyle	Tremblay, Stella
Tucker, Pamela	Waterhouse, Kevin	Weyler, Kenneth	

**STRAFFORD**

Bickford, David	Gray, James	Groen, Warren	Jones, Laura
Mullen, John Jr	Parsons, Robbie	Pitre, Joseph	

**SULLIVAN**

Gagnon, Raymond      Smith, Steven  
and the majority committee report was adopted.

**HB 323-FN**, establishing the Franklin Partin right-to-work act. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Sally H. Kelly for the Majority of Labor, Industrial and Rehabilitative Services: The bill seeks to prohibit unions from collecting "agency fees" from employees who choose not to belong to the union. Agency fees are not union dues. Agency fees include the cost to negotiate and administer contracts, defend grievances and cover legal expenses. Agency fees are not mandatory. Agency fees can only be collected from non-union employees if the employee group and the employer jointly agree to them. The majority of the committee was not convinced there was any economic benefit to the state and viewed credible evidence that wages were across the board lower in right to work states, poverty levels were higher and that every right to work state has a sales, income tax, or both. New Hampshire does not force anyone to join a union or force anyone to pay union dues. Non- members only have to pay a fee if there is agreement between the employer and the employee group on the fee. When asked why businesses might be leaving New Hampshire, a representative testifying for Americans for Prosperity testified the reasons were a lack of a properly educated work force and high costs of energy and interestingly, not the lack of a right to work law. The bipartisan majority of the committee understands that enacting a right to work law does not address the real problems facing our economy like our extremely high cost of energy - essential in the manufacturing sector - our crumbling infrastructure, and our lack of appropriately trained workers, all of which would address the real needs of businesses looking to expand or relocate here. Right to work is a false slogan and a concept that has been rejected for decades in New Hampshire. This bill, if passed, will drive down wages not only for union members but for everyone in New Hampshire, at the same time doing nothing for the real needs of our current businesses and those who would consider moving here. Vote 13-5.



Rep. Gary L. Daniels for the Minority of Labor, Industrial and Rehabilitative Services: The minority believes it is wrong to allow employers to bargain away the constitutional rights of its employees, forcing them, as a condition of employment, to financially support a third party organization with which the employee may not wish to associate. It is unfair to employees who wish not to have the benefits bargained for by the union to be forced to pay for benefits which they have no interest in receiving. The minority believes that unions who take care of their members should have no concerns should this bill pass. It would be a travesty if unions feel the only way they can be successful is to force unwilling employees to financially support them.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Baldasaro, Tucker and Cebrowski spoke against.

Rep. Daniels spoke against and yielded to questions.

Reps. Andrews, Copeland and Ley spoke in favor.

Rep. Andrew White requested a roll call; sufficiently seconded.

## YEAS 212 NAYS 141

### YEAS 212

#### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

#### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

#### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

#### HILLSBOROUGH

Backus, Robert  
Carroll, Douglas  
Danielson, David  
Gale, Sylvia  
Grady, Brenda  
Hopper, Gary  
Knowles, Mary Ann  
Long, Patrick  
McCloskey, David  
Palangas, Eric  
Rosenwald, Cindy  
Smith, Timothy

Beaulieu, Jane  
Chandlee, Shannon  
DiSilvestro, Linda  
Gidge, Kenneth  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy

Boisvert, Ronald  
Connor, Evelyn  
Dobson, Jeremy  
Goley, Jeffrey  
Hansberry, Daniel  
Judy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen

Campbell, David  
Cote, David  
Gage, Ruth  
Gorman, Mary  
Heden, Ruth  
Katsiantonis, Thomas  
Levesque, Melanie  
McCarthy, Michael  
O'Flaherty, Tim  
Rhodes, Brian  
Shaw, Barbara  
Stroud, Kathleen

Sullivan, Daniel  
Walsh, Robert Jr

Sullivan, Peter  
Williams, Kermit

Takesian, Charlene  
Winters, Joel

Vail, Suzanne  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Patten, Dick  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Khan, Aboul  
Muns, Chris  
Perkins, Lawrence  
St.James, Kevin  
Webb, James Sr

Borden, David  
Copeland, Timothy  
Flockhart, Eileen  
Lovejoy, Patricia  
Nigrello, Robert  
Sapareto, Frank  
Till, Mary  
Whittemore, Lisa

Briden, Steven  
Cushing, Robert Jr  
Heffron, Frank  
Mann, Maureen  
Pantelakos, Laura  
Scarlotto, Joe  
Ward, Gerald

Cahill, Michael  
Devine, James  
Helmstetter, Barbara  
Moody, Marcia  
Perkins, Amy  
Schlachman, Donna  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burdwood, Greg  
Hooper, Dorothea  
Ketel, Stephen  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Berube, Roger  
Burke, Rachel  
Horrigan, Timothy  
Malloy, Dennis  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Bickford, David  
Ginsburg, Philip  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew

Gagnon, Raymond  
Schmidt, Andrew

Irwin, Virginia  
Tanner, Linda

Lefebvre, Benjamin

### NAYS 141

### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
Morrow, Harry  
Wright, Donald

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

### CHESHIRE

### COOS

### GRAFTON

Hunt, John

Rappaport, Laurence

Rideout, Leon

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Garcia, Michael  
Hinch, Richard  
Lambert, George  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Ulery, Jordan  
Willette, Robert

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Graham, John  
Infantine, William  
LeBrun, Donald  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Vaillancourt, Steve

Boehm, Ralph  
Christiansen, Lars  
Flanagan, Jack  
Haefner, Robert  
Jasper, Shawn  
LeVasseur, Richard  
Murphy, Keith  
Ober, Lynne  
Pellegriano, Tony  
Rowe, Robert  
Straight, Philip  
Villeneuve, Moe

Burt, John  
Coffey, James  
Gagne, Larry  
Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Sweeney, Shawn  
Warden, Mark

**MERRIMACK**

Hess, David  
Reed, Dennis

Hoell, J.R.  
Smith, Todd

Kotowski, Frank  
Walsh, Thomas IV

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Rice, Frederick  
Sweeney, Joe  
Tucker, Pamela

Allen, Mary  
Birdsell, Regina  
Duarte, Joe  
Ferrante, Beverly  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
Oigny, Jeffrey  
Sanders, Elisabeth  
Sytek, John  
Waterhouse, Kevin

Baldasaro, Alfred  
Charron, Gene  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles  
Packard, Sherman  
Schroadter, Adam  
Tasker, Kyle  
Weyler, Kenneth

Belanger, Ronald  
Comerford, Timothy  
Elliott, Robert  
Garcia, Marilinda  
Hagan, Joseph  
Introne, Robert  
Lundgren, David  
Milz, David  
Peckham, Michele  
Sedensky, John  
Tremblay, Stella

**STRAFFORD**

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

Mullen, John Jr

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

and the majority committee report was adopted.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Daniel Eaton moved that the House reconsider its action whereby, on a roll call vote of 212-141, it adopted the majority committee report of *Inexpedient to Legislate on HB 323-FN*, establishing the Franklin Partin right-to-work act.

Rep. Daniel Eaton spoke against.

On a division vote, 133 members having voted in the affirmative and 218 in the negative, the motion failed.

**REGULAR CALENDAR (CONT'D)**

**HB 134**, relative to contingency funds in towns. **OUGHT TO PASS.**

Rep. Clyde J. Carson for Municipal and County Government: Under the current municipal budget law, towns are not permitted to set up contingency funds to cover unanticipated emergencies. This bill permits towns to establish contingency funds for unanticipated expenses as part of the annual warrant, and to make expenditures from such funds. Vote 11-4.

Committee report adopted and ordered to third reading.

**HB 198**, relative to town boundary perambulation. **OUGHT TO PASS WITH AMENDMENT.**  
Rep. David A. Bickford for Municipal and County Government: It has been unclear whether selectmen can incorporate GPS coordinates in their perambulations. This bill enables them to do so. The amendment changes the term "GPS" to "recreational GPS." and makes its use enabling and not required. Vote 12-5.

#### **Amendment (0073h)**

Amend RSA 51:4 as inserted by section 1 of the bill by replacing it with the following:

51:4 Return. A return of the perambulation shall be made, particularly describing the courses and distances and the marks and monuments of such line which shall be signed by the selectmen or persons making the same, recorded in the respective town books, and filed with the secretary of state. *The selectmen or persons making the perambulation may use the coordinates obtained using a recreational GPS devise to mark the town boundaries.*

#### **AMENDED ANALYSIS**

This bill allows GPS coordinates to be included during town boundary perambulations.  
Amendment adopted.  
Committee report adopted and ordered to third reading.

**HB 179**, repealing the law on weather modification experimentation. **INEXPEDIENT TO LEGISLATE.**

Rep. Nickolas J. Levasseur for Science, Technology and Energy: This bill sought to repeal a law that pertains to approval procedures for state participation and oversight of weather modification experiments. While the current law has not been used in recent memory, the committee felt that removing the ability of state agencies to participate and oversee any potential experimentation was unnecessary. This bill did not in any way seek to limit weather modification experiments, but simply to remove the state's ability to participate in and track them. The committee felt it was important for the state to be able to oversee and "keep tabs" on any future projects should they arise and did not see any value in removing the existing procedure. Vote 12-7.  
Committee report adopted.

**HB 307**, relative to the removal of certain wood stoves upon the sale of a home and notification of such removal to the department of environmental services. **INEXPEDIENT TO LEGISLATE.**  
Rep. Richard D. LeVasseur for Science, Technology and Energy: The purpose of the bill was relative to the removal and destruction of certain woodstoves not certified for sale as new after July 1, 1986 by the government protection agency. The reason given was to reduce excessive particulate discharge from certain inefficient wood burning stoves. The committee had questions about enforcement, and financial reimbursement of the owner's property, hence the ITL motion. Vote 13-6.  
Rep. Rideout spoke in favor.  
Rep. Jones requested a roll call; sufficiently seconded.

#### **YEAS 338 NAYS 9**

#### **YEAS 338**

#### **BELKNAP**

Arsenault, Beth	Burchell, Richard	Comtois, Guy	Cormier, Jane
DiMartino, Lisa	Fields, Dennis	Fink, Charles	Flanders, Donald
Greenmore, Robert Jr	Gulick, Ruth	Holmes, Stephen	Huot, David
Raymond, Ian	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			

#### **CARROLL**

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Cordelli, Glenn	Lavender, Tom	McConkey, Mark	Morrow, Harry
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
White, Syndi	Wright, Donald		

#### **CHESHIRE**

Ames, Richard	Burridge, Delmar	Butynski, William	Eaton, Daniel
Emerson, Susan	Hunt, John	Johnsen, Gladys	Lerandeau, Alfred

Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Mann, John  
Sad, Tara  
Weed, Charles

Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Roberts, Kris  
Tatro, Bruce

### COOS

Coulombe, Gary  
Moynihan, Wayne  
Theberge, Robert

Enman, Larry  
Rappaport, Laurence  
Thomas, Yvonne

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Rideout, Leon

### GRAFTON

Almy, Susan  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Boehm, Ralph  
Campbell, David  
Christiansen, Lars  
Culbert, Patrick  
Dobson, Jeremy  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Hinch, Richard  
Jasper, Shawn  
Kurk, Neal  
Levasseur, Nickolas  
MacKay, Mariellen  
Meaney, Richard  
Nelson, Mary  
O'Flaherty, Tim  
Palmer, Stephen  
Porter, Marjorie  
Rhodes, Brian  
Sandblade, Emily  
Soucy, Timothy  
Stroud, Kathleen  
Ulery, Jordan  
Walsh, Robert Jr  
Winters, Joel

Barry, Richard  
Boisvert, Ronald  
Carroll, Douglas  
Coffey, James  
Daniels, Gary  
Flanagan, Jack  
Garcia, Michael  
Grady, Brenda  
Hansberry, Daniel  
Hopper, Gary  
Judy, Jean  
Lambert, George  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murotake, David  
Notter, Jeanine  
Ober, Lynne  
Parison, James  
Pratt, Calvin  
Rosenwald, Cindy  
Shattuck, Gilman  
Souza, Kathleen  
Sullivan, Daniel  
Vail, Suzanne  
Warden, Mark  
Woodbury, David

Beaulieu, Jane  
Burt, John  
Cebrowski, John  
Connor, Evelyn  
Danielson, David  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Hansen, Peter  
Infantine, William  
Katsiantonis, Thomas  
LeBrun, Donald  
Levesque, Melanie  
Marston, Dick  
Murphy, Keith  
O'Brien, Michael Sr  
Ober, Russell III  
Pellegrino, Tony  
Ramsey, Peter  
Rowe, Robert  
Shaw, Barbara  
Spratt, Stephen  
Sullivan, Peter  
Vaillancourt, Steve  
Willette, Robert

Belanger, James  
Byron, Frank  
Chandlee, Shannon  
Cote, David  
DiSilvestro, Linda  
Gagne, Larry  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Jack, Martin  
Knowles, Mary Ann  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
Murphy, Kelleigh  
O'Brien, William  
Palangas, Eric  
Peterson, Lenette  
Renzullo, Andrew  
Sanborn, Laurie  
Smith, Timothy  
Straight, Philip  
Sweeney, Shawn  
Villeneuve, Moe  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hoell, J.R.  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Karrick, David Jr  
MacKay, James  
Patten, Dick  
Rogers, Katherine  
Smith, Todd  
Waltz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kelly, Sally  
McGuire, Carol  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Watrous, Rick

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Andrews-Ahearn, E. Elaine	Baldasaro, Alfred
Bick, Patrick	Birdsell, Regina	Borden, David	Briden, Steven
Cahill, Michael	Charron, Gene	Comerford, Timothy	Copeland, Timothy
Cushing, Robert Jr	DeSimone, Debra	Devine, James	Duarte, Joe
Dumaine, Dudley	Elliott, Robert	Emerick, J. Tracy	Emerson-Brown, Rebecca
Ferrante, Beverly	Fesh, Robert	Flockhart, Eileen	Garcia, Marilinda
Gordon, Richard	Grace, Curtis	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Heffron, Frank	Helmstetter, Barbara	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Khan, Aboul	Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David
Major, Norman	Mann, Maureen	McKinney, Betsy	McMahon, Charles
Milz, David	Moody, Marcia	Muns, Chris	Nigrello, Robert
O'Connor, John	Oligny, Jeffrey	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Perkins, Amy	Perkins, Lawrence	Rice, Frederick
Sanders, Elisabeth	Sapareto, Frank	Scarlotto, Joe	Schlachman, Donna
Schroadter, Adam	Sedensky, John	St.James, Kevin	Sweeney, Joe
Sytek, John	Till, Mary	Tremblay, Stella	Tucker, Pamela
Ward, Gerald	Waterhouse, Kevin	Wazlaw, Brian	Webb, James Sr
Weyler, Kenneth	Whittemore, Lisa		

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burke, Rachel	Ginsburg, Philip	Grassie, Anne	Gray, James
Groen, Warren	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela
Jones, Laura	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Mullen, John Jr	Parsons, Robbie	Perry, Robert	Pitre, Joseph
Rogers, Rose Marie	Rollo, Deanna	Smith, Marjorie	Spainhower, Dale
Stevens, Audrey	Verschueren, James	Wall, Janet	Ward, Kenneth

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Grenier, James	Irwin, Virginia
Lefebvre, Benjamin	O'Heame, Andrew	Rollins, Skip	Schmidt, Andrew
Smith, Steven	Tanner, Linda		

**NAYS 9****BELKNAP**

None

**CARROLL**

None

**CHESHIRE**

Chase, Cynthia      Phillips, Larry

**COOS**

None

**GRAFTON**

None

**HILLSBOROUGH**

Takesian, Charlene

**MERRIMACK**

Reed, Dennis

**ROCKINGHAM**

Cali-Pitts, Jacqueline

**STRAFFORD**

Burdwood, Greg

Miller, David

Schmidt, Peter

Spang, Judith

**SULLIVAN**

None

and the committee report was adopted.

**HB 368**, relative to the telecommunications planning and development initiative. **OUGHT TO PASS.** Rep. Jacqueline A. Cali-Pitts for Science, Technology and Energy: This bill reestablishes the telecommunications planning and development committee commonly known as the TAB. The committee felt there was more work to do especially as related to broadband communications. A new member was also added to the committee representing medical technology which is vitally important to our state. Vote 16-2.

Committee report adopted and ordered to third reading.

**HB 219**, limiting the authority of delegates to Article V convention. **WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass:** The creation of restrictions on a delegate to a Constitutional Convention convened pursuant to Article V of the Constitution for the United States of America would enable the states to pursue the goal of a single issue Convention. This is necessary to seek amendments to the constitution which the congress will not present to the states because they return power to the states, or other otherwise limit the powers of the federal government. Without this tool it is unlikely that we will ever see meaningful economic reform at the federal level. Rep. Alfred P. Baldasaro.

**Statement in support of Inexpedient to Legislate:** This bill would seek to restrict the activities of New Hampshire delegates to a federal constitutional convention called under Article V, requiring that the NH legislature pass any potential amendments in advance before our delegates were allowed to even vote on them. Also, it would impose a criminal penalty if they did so, creating a dangerous precedent of punishing federal delegates for votes the state legislature does not like and prevent our delegates from voting in the best interests of the state. Rep. Timothy J. Smith.

Rep. Itse moved Ought to Pass, spoke in favor and yielded to questions.

Rep. Baldasaro spoke in favor.

Rep. Horrigan spoke against.

Rep. Timothy Smith spoke against and yielded to questions.

On a division vote, 128 members having voted in the affirmative and 223 in the negative, the motion failed.

Rep. Theberge moved Inexpedient to Legislate.

On a division vote, 231 members having voted in the affirmative and 119 in the negative, the motion was adopted.

**BILLS REMOVED FROM THE CONSENT CALENDAR**

**HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding. **OUGHT TO PASS.**

Rep. Ralph G. Boehm for Education: This bill puts into law a provision for cities or towns to hold a special meeting, without court approval, if the adequacy funding law is changed after the school district meeting. This law also has the budget committee, if there is one, involved in any budget changes. Parts of this provision have been put into the adequacy funding changes in the past. This bill takes care of this for the future. Vote 18-0.

Rep. Gile moved Recommit and spoke in favor.

Adopted.

Recommitted to the Committee on Education.

**HB 239**, relative to online availability of certain county budget information and reports. **INEXPEDIENT TO LEGISLATE.**

Rep. Dorothea D. Hooper for Municipal and County Government: This bill requires county commissioners to make available on the county website certain county reports and information on the county's budget. While many counties already do this, this bill was considered an unfunded mandate. The committee felt the information is already available, just not on line. This could also present an additional expense for counties. Vote 14-2.

Reps. Cordelli and Meaney spoke against.

Rep. Danielson spoke in favor.

On a division vote, 236 members having voted in the affirmative and 112 in the negative, the committee report was adopted.

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, February 14, 2013 at 10:00 a.m.

Adopted.

### LATE SESSION

#### Third reading and final passage

**HB 229-FN**, relative to a financial examination supervisor.

**HB 230**, relative to administrative supervision of insurers.

**HB 231**, relative to reinsurance.

**HB 237**, relative to home production of wine for personal or family use.

**HB 301**, relative to notice of sale in foreclosure proceedings.

**HB 171**, relative to the civil penalty for failure to make payment of workers' compensation.

**HB 172**, requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation.

**HB 187**, relative to cost items in negotiated agreements.

**HB 138**, permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot.

**HB 182**, relative to appointments to the assessing standards board.

**HB 208**, relative to annual reports of county officers.

**HB 235**, allowing counties to contract for professional real estate services for the sale or lease of county property.

**HB 262**, establishing a committee to study the construction of a permanent memorial to Governor John Gilbert Winant on state property other than the state house grounds.

**HB 220**, relative to the New Hampshire medal of honor.

**HB 418**, establishing a committee to study a program to address children in need.

**HB 134**, relative to contingency funds in towns.

**HB 198**, relative to town boundary perambulation.

**HB 368**, relative to the telecommunications planning and development initiative.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.

Adopted.

The House recessed at 12:40 p.m.

### RECESS

#### (Speaker Norelli in the Chair)

Rep. Nordgren moved that the House adjourn.

Adopted.



**HOUSE JOURNAL No. 7**

Thursday, February 14, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

Happy Valentine's Day. O God of new beginnings, thank You for this day and for the beginning of another opportunity to shape the future of our state. Help us remember that budgets are more than numbers and procedures; they are opportunities to bless the people we are honored to serve. May the budget we ultimately hammer out reflect Your priorities and not just ours. May it incorporate equal measures of good stewardship today, robust hope in tomorrow and may it be humane in its consideration of the poor. And in our work today and in the weeks to come, remind us that responsibility and generosity are partner virtues. Bless Governor Hassan and her family as they seek to balance private and public lives and juggle multiple demands. Bless our Speaker and her family, each and every representative here and the many staff members that sustain and support our work here. And when we leave today, grant to us the inner knowledge that we have worked well together on behalf of all the people of New Hampshire and, on this Valentine's Day, that we have acted in the spirit of love. In Your Holy name we pray. Amen.

Representative Shannon Chandley, member from Amherst, led the Pledge of Allegiance.

The National Anthem was sung by Michael Hayes of Pittsfield, a Doorkeeper for the New Hampshire House of Representatives.

**LEAVES OF ABSENCE**

Reps. Ronald Belanger, Berch, Bishop, Bradley, Chirichiello, Crawford, Emerick, Gargas, Grossman, Hackel, Kopka, Menear, Pitre, Reilly, Thompson, Joy Tilton and Carol Williams, the day, illness. Reps. Bailey, Beaudoin, Beaulieu, Birdsell, Burt, Cahill, Cali-Pitts, Carey, DeSimone, Richard Eaton, Gorman, Gottling, Hoell, Kaen, Ketel, Lovett, McNamara, Merrow, Nigrello, Notter, O'Hearne, Oligny, Patten, Pellegrino, Priestley, Rhodes, Steven Smith, Tatrow, Vail and Andrew White, the day, important business.

Reps. Jane Johnson and Lockwood, the day, illness in the family.

**INTRODUCTION OF GUESTS**

4<sup>th</sup> graders from Broken Ground Elementary School, guests of the Concord delegation.

**RESOLUTION**

Reps. Shurtleff and Chandler moved that the House notify the Honorable Senate that it is ready to meet in Joint Convention for the purpose of hearing the Budget Address by her Excellency, Governor Margaret Wood Hassan.

Adopted.

**SENATE MESSAGE**

The Senate is ready to meet with the Honorable House of Representatives in Joint Convention for the purpose of hearing the budget address by her Excellency, the Governor Margaret Wood Hassan.

**INTRODUCTION OF SENATE**

The Sergeant-at-Arms introduced the Honorable Senate and Senate President, Peter Bragdon of Milford.

**JOINT CONVENTION****(Speaker Norelli presiding)**

The Sergeant-at-Arms introduced the following special guests: Executive Councilor for District 2, the Honorable Colin Van Ostern; Executive Councilor for District 4, the Honorable Christopher C. Pappas; Chief Justice of the New Hampshire Supreme Court, the Honorable Linda S. Dalianis. The Sergeant-at-Arms introduced the Governor, her Excellency, Margaret Wood Hassan.

### BUDGET ADDRESS

Her Excellency, Governor Margaret Wood Hassan, addressed the Joint Convention.

Madam Speaker, Mr. Senate President, Madam Chief Justice, honorable members of the House, Senate and Executive Council, my fellow citizens. New Hampshire stands at the threshold of a bright new future. We are as well positioned as any state to lead the country in innovative economic growth that will lift all of our people and define the 21st century. In recent years, our people and our state have faced immense challenges. The recession has left no family, no business, and no community unaffected and though there are still challenges to address, today we can say confidently that New Hampshire has emerged in a better position than most other states, but we cannot sit back and wait for the innovation economy to develop. We must lead the way. Now is the time for New Hampshire to choose our own path forward, to build the foundation for a stronger, more innovative economic future that harnesses the greatness of our people and allows all of our citizens to succeed. Today I present to you a balanced budget with no income or sales tax that is fiscally responsible and focused on innovation, economic growth and creating good jobs to support a strong middle class. A budget that begins rebuilding based on the priorities that are critical for an innovative future, ensuring that all of our people can receive an education and develop skills for good jobs, attracting and growing cutting-edge businesses and sustaining our high quality of life by keeping our communities and people safe and healthy. It is a budget that reflects what I have heard from communities, families and businesses across New Hampshire and from so many of you here in this room, but it is also a budget that recognizes that we cannot address all of our challenges all at once in these uncertain economic times. We must still make difficult choices to protect our priorities while living within our means. Let me take a moment to thank our dedicated department heads and all of our state employees, who have worked so hard to serve our citizens well in difficult times. In preparing this budget, we cut agency budget requests by more than 500 million general fund dollars, keeping general fund spending seven percent below fiscal year 2008 for fiscal year 2014. At the same time, our budget includes only two percent baseline revenue growth in the first year of the biennium and 1.9 percent in the second. These conservative projections were made with the guidance of our Consensus Revenue Estimating Panel, a nonpartisan group of experts who have volunteered their time to help ensure that our revenue estimates are as accurate and reliable as possible. To members of the panel, thank for your service. Revenues are also reduced moving forward as we begin to reverse the significant tax increase made in the last biennium on our hospitals. In addition to slow revenue growth, we were forced to address a deficit for fiscal year 2013, caused by shortfalls in Medicaid Enhancement Tax revenues, as well as unrealistic saving estimates for the implementation of Medicaid Managed Care and the changes to the retirement system. This budget balances 2013 through the use of surplus dedicated fund revenue and by working with agencies to continue to delay spending and increase their lapses. Slow revenue growth made the task of balancing the budget more difficult, but by making tough, fiscally responsible choices and by encouraging new innovations to make government more efficient, we have been able to balance the budget while making critical investments in public safety, higher education, economic development and health care. The budget I present to you today puts New Hampshire back on the path to a strong and innovative economic future. First and foremost, to attract the innovative businesses and good jobs that will drive our economy forward, we must ensure that our workforce is the strongest in the nation by making higher education more affordable and more accessible for all of our people. Nearly every business I have visited has told me that a skilled workforce is critical to their ability to grow. Many are ready to hire right now but are having trouble identifying the workers they need. Others have partnered with our colleges and universities to build a workforce pipeline themselves, with numerous innovative programs across our state. The Energy Services and Technology program at Lakes Region Community College is giving students hands-on training for jobs in a rapidly expanding field. The partnership between Great Bay Community College and Albany/Safran in Rochester helped attract these high-tech manufacturers to our state, where they will create 400 or more good jobs. The dynamic Regional Center for Advanced Manufacturing at Keene State is giving students experience with some of the most innovative technologies available today, such as three-dimensional printing and high-precision cutting devices and I have visited businesses throughout the state, like Hypertherm in Lebanon, Globe Manufacturing in Pittsfield, and Nanocomp in Merrimack, that need workers with the right skills. New Hampshire will not be able to help these businesses grow or attract new companies if we do not demonstrate that we are serious about building the skilled, educated workforce that businesses need to compete. The drastic cuts made to higher education in

the last budget have hurt our ability to train a highly skilled workforce and to give our people the bright future they deserve. Our students and families face one of the highest in-state tuition rates for public universities in the country. The price for classes at our community colleges is also prohibitively expensive for many working students and I have too often heard stories like the one told to me by a woman in Londonderry, whose daughter went to UMass Lowell because Massachusetts' out-of-state tuition is lower than New Hampshire's in-state tuition. That is unacceptable. We need to make it possible for our middle-class families to compete and share in the American dream. Ever-rising tuition rates can force many families to avoid even considering New Hampshire's public colleges and universities, hurting our competitiveness. If we hope to encourage job creation and innovative economic growth, we cannot keep losing our young people or fail to develop our workforce. That's why our budget substantially restores the cuts made to our community college and university systems. The University System will receive an increase of \$20 million in fiscal year 14 with an additional increase of \$15 million in fiscal year 15, bringing the system back to 90 percent of where it was before the cuts and we have not only fully restored funding for the Community College System in the first year, but added \$3 million in the second. In exchange, the leadership of both the community college and university systems have assured me they will go to their boards with a plan to freeze tuition for the next two years. We also recognize the important role our private colleges play in attracting and keeping new workers. This budget includes \$4 million in UNIQUE funds to support need-based scholarships that can be used at both public and private colleges, but ensuring that our workforce is ready for the jobs of today and tomorrow also means that at each step along the way, New Hampshire's young people must be developing the skills, knowledge and innovative thinking needed in a 21st century economy. This budget protects our state's commitment to our public K-12 education system by fully funding the existing Adequacy formula and in the second year of the biennium, this budget fully funds the building aid formula and increases catastrophic aid and tuition and transportation assistance to local schools. In addition, this budget will help encourage innovation by providing funding to allow new charter schools to open and to allow existing charter schools to accept new enrollees. At the same time, these charter schools have a responsibility to live within their budget and so this budget sets new parameters and provides authority for the Department of Education to prioritize new charter school approval to underserved communities. To help pay for these investments, this budget repeals the voucher tax credit that would have diverted millions of dollars in taxpayer money to private and religious schools with no accountability. Our budget also seeks to bring together teachers, local schools, higher education and the business community to ensure a robust and rigorous education for all of our students, especially in the STEM fields of Science, Technology, Engineering and Math. In an innovation economy, building skills in these fields is more important than ever and can lead to higher paying and more stable careers. We need to support engaging programs and curricula to help students understand how far they can go and how much they can accomplish if they stick with STEM education. New Hampshire is the birthplace of one such inspiring program, FIRST Robotics, which has awakened in thousands of students an interest in science, math and technology while teaching them the valuable life skills of teamwork, collaboration and innovative thinking. This budget includes \$200,000 in incentive grants for communities to launch robotics teams, because FIRST should be an opportunity available to every New Hampshire student. Just as we need to prepare our workforce for 21st century jobs, we need to lay the groundwork and provide the support innovative businesses need to create those jobs. Our economy is changing rapidly with growing sectors like clean energy, biotech and IT. There are many businesses looking to expand or move to New Hampshire; existing businesses who could use targeted tax credits to develop new products; entrepreneurs who, with just a little guidance, are ready to turn a creative idea into a burgeoning business. I have seen these stories throughout New Hampshire and I know that our business community is ready to lead the way to a more innovative economic future if their elected officials are ready to stand by them. This budget doubles funding for our Research and Development tax credit to help businesses invest in new technologies that can lead to growth and job creation. The Senate has already taken action on this important measure, unanimously passing a bill that will double the R&D tax credit and make it permanent, creating more predictability for businesses. I encourage my friends in the House to do the same and make this measure one of the first bills I sign into law as Governor. This budget also funds business incubators, like the Innovation Research Center and the Green Launching Pad at UNH, which have helped numerous entrepreneurs get their businesses off the ground. Incubators can provide needed early funding and infrastructure, but most importantly, they offer basic support

and advice to guide new businesses through the most treacherous early stages leading to stronger companies and more jobs here in New Hampshire. This budget also recognizes that investing in travel and tourism promotion pays dividends for workers, businesses and our economy and so it provides for an increase in travel and tourism funding over the next two years. Our budget also begins rebuilding our stagnating economic development efforts and revitalizing our International Trade Office to provide businesses with the technical support they need to compete. Let's help our businesses, both new and established, enter new markets. Let's make New Hampshire a leader in selling our services and goods around the world. With these measures, and your ideas, together we can make New Hampshire an innovative economic leader. Our economic success, however, will depend on our efforts to maintain our high quality of life as one of the safest states, healthiest states and most livable states in the nation. We cannot walk away from our responsibility to provide the basic services that are critical to the overall well-being of our families, our businesses and our communities. This includes ensuring that all of our citizens are able to live healthy, productive lives with access to quality, affordable health care. Our state continues to experience some of the most expensive health insurance rates in the entire nation. Too many of our citizens are unable to access basic, preventive care, forcing them to wait for an emergency before seeking help, but with the federal Affordable Care Act now the law of the land, we will have new tools to help reduce costs and improve the health of our citizens, while adding \$2.5 billion to our economy. An independent study by The Lewin Group concludes that these funds will help thousands of individuals and families access health coverage, create an estimated 700 jobs and save Granite Staters more than \$92 million. Uncompensated care at our hospitals' emergency rooms increases costs for everyone. By moving forward with Medicaid expansion, we can reduce that uncompensated care and save the average New Hampshire household an estimated \$145 per year. The federal government will provide 100 percent of the funding for the first three years and no less than 90 percent thereafter and the federal government has historically fulfilled its commitments to the Medicaid program. Our budget includes Medicaid expansion. It is the right thing to do for our economy, for our state's finances and for our families. As both Democratic and Republican governors around the nation have said, it's a good deal, one that will, among other things, allow us to save money in existing state programs, while increasing state revenues. Under federal law, people insured through Medicaid expansion will receive coverage parity for mental health and substance abuse treatment. This parity is smart and it is right and so this budget provides for mental health and substance abuse treatment coverage for our existing Medicaid population as well. As we implement the Affordable Care Act, which guarantees coverage to all of our people, regardless of preexisting conditions, we must also re-examine some of our existing efforts and programs. As part of that effort, this budget includes a commission to consider what type of Retirees Health Program we should offer to new employees in the future and as we undertake Medicaid expansion, we should use this as an opportunity to work together with hospitals, providers, insurers, state government and patients to find new, innovative ways to improve our health care system and health care outcomes for all of our patients, but to maximize the potential of expansion and our health care dollars, this budget continues the implementation of Medicaid Managed Care. In order for New Hampshire to move forward, providers must continue to innovate and assist the state with managing care for our residents. Our providers must take a leadership role in Medicaid care management. Now, more than ever we need their cooperation. I also recognize the concerns inherent with such a big change and in the next several weeks, I will establish a commission to advise me on implementation to make sure we are protecting patients and providers and we need to reexamine the massive tax increase imposed by the last budget on New Hampshire's hospitals. This has understandably put a strain on their ability to maintain their operations and has caused a delay in implementation of Medicaid Managed Care and it has led, in part, to the deficit we face in 2013. Our budget begins to restore those funds by reducing Medicaid Enhancement Tax revenues to the general fund and provider payments, making more funding available for uncompensated care payments. We must also meet our commitments to our most vulnerable citizens to ensure that they can live independently and contribute to our economy and civic life. That is why this budget fully funds the waitlists for services for people with acquired brain disorders and developmental disabilities and this budget begins to shore up our public health infrastructure by restoring some funding to community health centers along with vital family planning dollars. We must also honor our responsibilities to care for and serve those who have bravely sacrificed for us, our veterans. This budget attempts to fully and honestly fund our state Veterans Home and it adds an additional Veterans Services Officer to the State Veterans Council to help meet the needs of our growing

number of new veterans and to ensure that they have the support they deserve, but as we work to improve the health of all of our citizens, we must address one of our most pressing public health challenges, the need to restore our mental health system. This budget helps us move forward with implementing the state's 10-year mental health plan. That is critical for the safety of the public and the health and well-being of individual citizens. Each of us knows of someone, a friend, a family member, a neighbor who has suffered from mental illness. Right now, many children who are suicidal are stuck for days in emergency rooms because there is nowhere else for them to go. Dozens of people are waiting on a daily basis for critical mental health care. Without proper facilities or treatment, many have been restrained or even sedated. Some leave without care at all, often putting themselves and those around them at risk of harm. That's not the kind of state we are. We can all agree that our mental health system is deeply strained and though we won't fix all of our challenges at once, it is time to resume our efforts to repair our mental health system. We must phase in changes with a systematic approach that will strengthen all aspects of mental health care in our state and move us toward more community-based care and that is what this budget does. Over the next two years, it will add a new designated receiving facility to take the pressure off local emergency rooms and provide more appropriate critical treatment environments. It will add new acute psychiatric residential treatment beds, in addition to the beds at the state hospital and it will focus on treating people in their communities, with 75 new community residence beds, housing and support services for 100 additional people, more peer support services and assistance to older adults and ten new Assertive Community Treatment teams to help adults and children in crisis. While this won't solve all of the challenges facing our mental health system, it is beyond time that we make real and meaningful investments in helping those in desperate need of care. Supporting the health and well-being of all of our citizens also means ensuring that they can work, live and raise their families in the safest possible communities, but like our health care system, our public safety infrastructure took too many hits in the last two years. We need to reverse course and we need to do it now if we want to keep New Hampshire the safest state in the nation. From mental health professionals, from parents, from educators and from law enforcement, I have heard over and over again that the loss of the Children in Need of Services program was devastating to the hopes and dreams we have for our young people and for public safety. I appreciate the work being done by the legislature to study the program and improve these services and this budget includes some reforms, but we cannot neglect our duty to help those at risk and keep our communities safe and so this budget begins to restore funding for the Children in Need of Services program. Public safety is truly our most important responsibility, so we need to make sure we maintain the basic public safety infrastructure that allows local officials to keep us safe. Over the last few years, we have taken 30 state troopers off of our roads and out of our communities. People in our most rural areas should not have to wait more than an hour for the nearest state trooper to arrive. To improve the safety of our people, this budget puts 15 more troopers on the road. Our drug task force teams are also critical, supporting the efforts of small police departments to combat the growing problem of drug crimes, particularly those involving prescription drugs, but because of federal funding cuts, we were going to be forced to drop to just one drug task force team. This budget provides \$500,000 per year in general funds to allow us to continue operating three drug task force teams. Ensuring public safety also means adequately recognizing that search-and-rescue is an integral state responsibility. That's why this budget provides \$200,000 a year in general funds to pay for search-and-rescue operations at the Department of Fish and Game. As we discuss public safety, we must also acknowledge the importance of our judicial system. Let me take a moment to recognize the hard work of Chief Justice Dalianis and the New Hampshire courts. The courts have led the way in working to become more efficient and modern. Their new state-of-the-art call center has reduced costs and improved customer service. Our courts are moving toward a paperless system and the capital budget will allow them to continue these efforts, but at the end of the day, we still need judges for trials and for justice. That is why this budget restores funding for two Superior Court judges. Public safety goes beyond the dedicated work of our police, firefighters and EMTs and beyond our judicial system. We must ensure that our corrections system is as effective as possible, with modern facilities to keep dangerous criminals off of our streets and programs to prevent those who serve their punishment from returning to a life of crime. For too long, our corrections system has woefully neglected women. Like our men's prison, our women's prison must offer facilities that can provide the programs that help individuals safely move back into society when they have served their sentences. To ensure justice and to improve our public safety, this capital budget includes the funds necessary to build a new women's prison.

It is time. We cannot delay this any longer and as we strengthen and protect our communities and grow our economy, we must always preserve what has made New Hampshire such a special place to live, work and raise a family, our beautiful natural resources. The Land and Community Heritage Investment Program has been so important for protecting our natural, historical and cultural resources, a responsibility that has not been met in recent years. That's why this budget restores \$1 million for LCHIP in the first year of the biennium and fully restores the program in the second. This budget also begins restoring funding for our local communities. In fiscal year 2015, this budget provides \$3 million to help pay for delayed and deferred water treatment projects for communities and increases meals and rooms distributions to communities by \$5 million, but as we make this progress, we must continue to reform state government and this budget moves forward with efforts to make state government more innovative and efficient. It continues to consolidate the state's office functions, such as accounts payable, and to centralize some of the human resources process. It remakes the Liquor Commission, moving from a three-member commission to a single commissioner model. It continues the effort to move our services in support of New Hampshire businesses into a centralized online environment through the Business One Stop and it will move all of our boards and commissions to one licensing system, modernizing the system for the agencies and for the public, but we need to think bigger in terms of how we best position state government for the demands of the 21st century. We must always be looking for new ways to innovate in state government in order to cut red tape and save taxpayer dollars and we should harness the expertise of the private sector to come up with new ideas and approaches. To encourage this process, I will soon be issuing an executive order to create a Commission on Government Innovation, Efficiency and Accountability. The commission will be charged with making recommendations to modernize state government for the 21st century and it will include members from the business community and non-profit sector to determine how we can improve services by working together. In addition, this budget creates the Office of Innovation and Efficiency at the Department of Administrative Services, which will lead the effort to implement commission recommendations and work with state agencies on streamlining, implementing recommendations of performance audits and developing transparent performance measurements. Together, these steps will help us increase efficiency and re-position state government for the future, but we cannot balance the budget through efficiencies alone. We must identify sufficient revenue to protect our priorities and help build an innovative economic future. Cutting the cigarette tax in the last budget has put added strain on our state and put the health of our young people at risk. New Hampshire has the highest youth smoking rate in the Northeast, with 19.8 percent of high school students who smoke cigarettes. Cigarette taxes nationwide have proven to be one of the most effective ways to prevent youth smoking and my budget proposes reversing the cigarette tax cut and increasing the tax by an additional 20 cents, which will still keep our cigarette tax below those of our surrounding states. In addition, the elimination of auditors and document processors at the Department of Revenue in the last budget has led to unacceptable delays in the processing of returns and refunds and cost the state millions of dollars. This budget restores some of those important positions. In the last biennium, the legislature also made a number of promises for tax law changes, but pushed off to the next legislature the job of paying for them. Our uncertain fiscal times mean we must further delay some of those changes. This budget suspends the implementation of un-paid for tax law changes, with the exception of the increase in the net-operating-loss-carry-forward, which this budget pays for in fiscal year 15. However, even these steps are not enough to ensure that we can responsibly invest in the priorities that will create jobs, strengthen our communities and ensure a brighter economic future. That's why to fund our most pressing priorities, especially higher education and mental health, my budget includes \$80 million from licensing one high-end, highly regulated casino. I know expanded gambling has been an on-going and difficult debate, but the social costs many are worried about are already here and with Massachusetts moving forward, we can no longer pretend that expanding gambling isn't coming to our communities. It is. The question is, will we allow Massachusetts to take revenue from New Hampshire's residents to fund its needs or will we develop our own plan that will allow us to address social costs and invest in our priorities? I believe we should move forward with one high-end casino, while at the same time protecting New Hampshire's brand as a family-friendly state with a great outdoor economy. The revenue from one casino would mean tens of millions of dollars a year that can be used to strengthen our economy and address our priorities, such as freezing in-state tuition and addressing our mental health crisis, as well as funds to address social costs like substance abuse and gambling addiction. A high-end casino would also bring a significant economic boost, creating

more than an estimated 2,000 jobs during construction and 1,000 long-term jobs, while attracting new businesses and economic development. With the intense competition for casinos in Massachusetts leading to 11 applications for only three licenses, it's clear that there is more than enough room in our region for a New Hampshire casino. Senators D'Allesandro and Morse have introduced a bipartisan bill that serves as a good starting point for the process and so this budget does not include legislative language authorizing a casino. I want to continue working with members of both the House and Senate to develop a final bill that addresses concerns, protects what's special about New Hampshire and invests in our priorities. Though this may be difficult, I ask that you keep an open mind as we all work together to advance the priorities that will help us build a more innovative economic future and to truly seize the promise that innovation presents, we must come together and take on one of our most difficult long-standing challenges, New Hampshire's deteriorating roads and bridges. The American Society of Civil Engineers gives our roads a C minus and the I-93 expansion project remains unfinished. Hundreds of our bridges are on the "red list" of bridges in critical need of repair, risking public safety and our economy. Just three weeks ago, we all saw the price of years of neglect and under-funding of the highway fund when the Department of Transportation was forced to abruptly close the Sarah Mildred Long Bridge. This comes on the heels of the immediate closure of the Memorial Bridge in 2011. With the Memorial Bridge already out of service, we were left with only one way to cross the Piscataqua River into and out of Maine, snarling traffic and impeding the flow of goods that is so critical to our economy. In addition, without being able to lift the Long Bridge, oil tankers were stuck in place. If it weren't for the quick work of our dedicated public employees at the Department of Transportation, work that was extremely dangerous hundreds of feet above open water in bitter cold and high winds, we might have seen a significant spike in energy prices as our oil supply sat idle on the water. Maintaining and repairing our state's roads and bridges and funding transportation projects are crucial for our economy. Creating a solid, modern infrastructure will attract new businesses and industries, while helping our existing businesses grow, transport their goods and create new jobs, but as it stands, we barely have enough to do the very minimum, patching roads and bridges together, plowing our highways and keeping state troopers on the road. Our transportation trust fund faces a \$740 million shortfall over the next ten years. There are no more one-time fixes. We must develop strategies for a long-term solution, for both operations and road construction and we must do it together, working towards a consensus solution. There have already been proposals offered in both chambers and I thank Senator Morse and Representative Campbell for the work they have done. I stand ready to work with any member of either party who is willing to bring constructive, long-term ideas to the table so we can build a consensus solution that will help us begin to improve our roads and bridges and finish I-93. As you can see, though we continue to recover from the worst of the recession, our challenges are not yet over and they cannot be ignored. I know we won't agree on everything and I am ready to work with you to develop a final budget plan, but let me be clear, we must end this process with a balanced budget and I will veto anything else. The fiscally responsible budget I deliver to you today is a difficult budget with difficult choices and shared sacrifice, but it is a balanced budget that relies on conservative revenue growth and responsible decisions. Most importantly, it is a budget that refocuses our state on the priorities that are critical for driving innovation and strengthening our economy, building a strong, highly skilled workforce ready for 21st century jobs, supporting and attracting growing businesses and providing the basic support and services that keep our people safe, healthy and productive. I believe the approach that we have taken puts our state on the right path and will help set the foundation to build a more innovative economy, an economy with more good jobs that can support a growing middle class and an economy where all of our citizens can share in our success and prosperity. We cannot ignore our challenges and hope they go away and we cannot just assume the good jobs of the innovation economy will simply appear if we do not act. I am ready to roll up my sleeves and work with you, because we have the opportunity and the capacity to build a bright economic future for our people. We must lead the way and work together to build a stronger, more innovative New Hampshire. Thank you.

Rep. Shurtleff and Sen. Bradley moved that the Joint Convention arise.

Adopted.

The Joint Convention adjourned.

## HOUSE SESSION

The Speaker reconvened the House session.

**RESOLUTION**

Rep. Shurtleff offered the following: RESOLVED, that the House now adjourn from the early session, that the business of the late session be in order at the present time.  
Adopted.

**RECESS MOTION**

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills and receiving Senate messages.  
Adopted.

The House recessed at 11:15 a.m.

**RECESS****(Speaker Norelli in the Chair)**

Rep. Kaen moved that the House adjourn.  
Adopted.



## HOUSE JOURNAL No. 8

Wednesday, February 20, 2013

The House assembled at 10:00 a.m. and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

God of peace and hope, we recall today that You are also a God of justice. We recall that in every age You send Your spirit to comfort the afflicted, but that You sometimes need to send us prophets to afflict the comfortable, which, we know, includes us. On this February Wednesday, we recall with gratitude those who have walked before us with the courage to speak truth to power and to question the status quo. We give You thanks for those who have dared to challenge racism and prejudice in all its forms for the sake of a more perfect union. Remind us of the cloud of witnesses who, out of compassion for their fellow human beings, risked and even gave their lives, so that the laws of this country and of this state might actually reflect in truth what our forbears claimed, that we "Hold these truths to be self evident, that all men (and women) are created equal." Help us to listen for their voices and for Yours and to the voices of our neighbors today who are challenging the injustices and prejudices of our own time. May our work reflect to the people of New Hampshire our concern for justice and equality, not for some, but for all. And in so doing, in the words of the great theologian Howard Thurman, "Keep fresh before (us) the moments of (our) high resolve" so that our work today might benefit those whose suffering is the greatest and often the least visible. This we pray in Your liberating name. Amen.

Representative Kris Roberts, member from Keene, led the Pledge of Allegiance.

The National Anthem was sung by Reverend Robert Thompson from Phillips Exeter Academy.

Pastor Renee Rouse of Brookline Community Church sang "America the Beautiful."

### LEAVES OF ABSENCE

Reps. Boisvert, Booras, Hackel, Hansberry, Kopka, McCloskey, Pitre, Reilly, Thompson, Till, Joy Tilton and Carol Williams, the day, illness.

Reps. Richard Eaton, Hinch, Moffett, Pelletier, Rhodes, Shackett, Spainhower, Joe Sweeney and Kenneth Ward, the day, important business.

### INTRODUCTION OF GUESTS

Reverend Andrew Nelson and Reverend Jorge Bedoya, son and guest of Rep. Bill Nelson. George, Molly, Carolyn and Sarah Simpson, son-in-law, daughter and granddaughters of Rep. Lovett. The Honorable Claire Clarke, former member from Boscawen, Stephanie and Andrew Alicea Sr., Leonard Bell and Marsha Snow, mother, daughter, son and guests of Rep. Alicea. Fourth Graders at Derry Village Elementary School, guests of the Derry Delegation. Miranda White, daughter of Rep. Andrew White. The Honorable Jackie Weatherspoon, former member from Exeter, guest of the House. The Honorable Harvey Keye, former member from Nashua, his wife Coralina, daughter Kendra Nickodem and daughter and son-in-law Jada Lynn and Sergio Hebra, guests of the House. Claire and Tim Davis, Braden and Nathan Young, guests of Rep. Emerson. John Healey and James Mossman, guests of Rep. Flanagan.

Andrew Alicea, Jr. of Merrimack Valley High School, Jourdain Bell of Bishop Brady High School and Emily LeRay of Exeter High School, Pages for the day.

### SPECIAL GUESTS

Aleksey Gustov, Ivan Khlebnikov, Aleksandr Selivanov, Vitaliy Yevdokimov and Dmitriy Popov, members of the World Affairs Council, guests through the Open World Program, guests of the House. Valerie Cunningham, historian and principal of the African-American Cultural Center, who established the Portsmouth Black Heritage Trail and the recipient of the National Restore America Award, and Bradley Randolph, son of Valerie Cunningham, guests of the House.

**UNANIMOUS CONSENT**

Rep. Levesque addressed the House.

**DECLARATION****Honoring Henry B. Richardson**

The First New Hampshire Legislator of African-American Descent

**WHEREAS**, Henry B. Richardson was elected to the New Hampshire House in 1974, and for two terms faithfully represented his constituents in Hillsborough District 5, which then comprised the towns of Greenville, Sharon, Temple, Lyndeborough and Wilton; and

**WHEREAS**, during his tenure in the House, Henry B. Richardson was a member of the Education Committee, as well as the Claims, Military & Veterans Affairs Committee, quickly earning the reputation of being an eloquent and gifted speaker; and

**WHEREAS**, originally from Ohio, Henry B. Richardson persevered from humble beginnings to graduate from college and become a faculty member of the Hampton Institute in Virginia; and

**WHEREAS**, Henry B. Richardson, who espoused serving country and community, served in the U.S. Army and proceeded to receive a battle commission where he was the only black officer in an integrated unit; and

**WHEREAS**, after three wars and 31 years in the Army, Henry B. Richardson retired with the rank of Major, having been decorated 24 times; now therefore be it

**DECLARED**, that Henry B. Richardson be celebrated as the first person of African-American descent elected to serve in the New Hampshire House of Representatives, thereby inspiring and paving the way for future legislators of diverse backgrounds; and be it further

**DECLARED**, that the New Hampshire House of Representatives, in recognition of Black History Month, hereby honors Henry B. Richardson for his groundbreaking achievement and reaffirms the significance of his role in New Hampshire history.

Terie Norelli, Speaker of the House

February 20, 2013

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Levesque be printed in the Permanent Journal. Adopted.

**REMARKS**

**Rep. Levesque:** Madame Speaker, Honorable Colleagues and guests. I rise for unanimous consent to recognize Black History month and pay tribute to past and current members of the Legislature of African American descent. You may ask why celebrate Black History month? It is a way of remembering our past, appreciating our present and imagining the possibilities for the future. Africans were brought to America in chains over 300 years ago. Although they helped to build this country, they endured centuries of being treated as mere property, unable to experience freedom, unable to engage in free enterprise or even be taught to read and write. In 1857, New Hampshire declared that no one shall be denied citizenship on account of African descent and, along with Vermont, repealed laws against the enlistment of blacks in state militia. In 1863, the Emancipation Proclamation freed all slaves and in 1865 the 13th amendment abolished slavery in all states. 110 years later, NH elected the first African American to the NH Statehouse. His name is Henry B. Richardson (R-Greenville). Henry Richardson served in the military for 31 years, served in 3 wars and was decorated 24 times. He achieved the rank of Major when he retired. Henry B. Richardson won the Republican nomination for his party in 1974. He was elected in 1975. That was a year of firsts; the first African American, the first Native American and the first 19 year old. After serving 2 terms in the NH House, The Hon. Henry Richardson ran for State Senate and was even endorsed by the Manchester Union leader. The Hon. Henry B. Richardson paved the way for Representatives of the future, including myself. Elected in 1986, Linda Diane Long (D-Nashua) served for 4 years in the House. Rep. Long was the sponsor of the Martin Luther King Day Bill in 1989. In 1989, the Hon. Juanita Bell from Portsmouth served for 2 terms. That same year the Hon. Lionel Johnson (D-Manchester) began his 12 years of service in the NH House. The Hon. Rogers Johnson (R-Stratham) served 3 terms. The Hon. Jackie Weatherspoon (D- Exeter) served 2 terms, 1997-2002, and remains active today in Exeter and in Washington. The Hon. Harvey Keye (D-Nashua), elected in 1998, also served 2 terms. The Hon. Harvey Keye gave an impassioned speech on the House floor which was instrumental in passing the

Martin Luther King Day Holiday in NH. The Hon. Claire Clarke (D-Boscawen), served for 10 years from 2001-2010. She was a tireless advocate for Education. The Hon. James Lawrence (R-Hudson) served 3 terms. The Hon. Carol Estes (D-Plymouth) served one term and gave a remarkable floor speech that helped pass civil unions. The Hon. Richard Komi (D-Manchester) originally from Nigeria, served in the House from 2009-2010 and also ran for Mayor of Manchester. Our current Representatives are Rep. Jean Jeudy (D-Manchester), originally from Haiti, Rep. Kris Roberts (D-Keene), Rep. Caroletta Alicea, the daughter of the Hon. Claire Clark and Rep. Linda Harriott-Gathright (D-Nashua). Today we recognize these Representatives cited for their achievement, not only for blazing a trail and being role models to what is achievable, but for transcending barriers of race and gender. It is important to note that the NH House is a diverse fellowship of legislators; African American, Irish, English, Native American, Hispanic, French, Italian, German, Greek, Indian, Haitian, Armenian, Japanese, Scandinavian, Russian and Scottish. If I missed any nationalities, please excuse me, but you know what I mean. We have a diverse group and we should be proud because we were all elected based on the content of our character and our willingness to serve. This is Dr. Martin Luther King's Dream. It is our privilege to have the daughter of The Hon. Henry B. Richardson with us today. Pastor Renee Rouse is the Interim Pastor at the Brookline Community Church in Brookline NH. She graced us with her lovely voice singing *America the Beautiful*. We would like to pay tribute to her father's memory by presenting a commendation recognizing her father, Hon. Henry B. Richardson as the 1st African American Legislator in the NH Statehouse.

### COMMUNICATION

February 15, 2013

Attn: Karen Wadsworth

Due to personal and health related issues, I am no longer able to serve in the NH Legislature representing Sullivan County District 4, City of Claremont, Ward 2. Continued success in your work. Thomas E. Donovan, Jr.

### COMMUNICATION

February 14, 2013

Ms. Terie Norelli  
Speaker of the House  
Third Floor, NH State House  
107 North Main Street  
Concord, NH 03301

Dear Madam Speaker:

It is with deep regret that I submit to you my resignation, today, from the NH House of Representatives. My declining health along with my age are the two main factors. This legislative body holds many fine memories that I shall always cherish.

Sincerely,  
Roland H. LaPlante  
Ward 8, Nashua – Hillsboro, Dist. 35

### CONSENT CALENDAR

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 278**, relative to voluntary installation of fire suppression sprinklers, removed by Rep. Kurk.

**HB 344-FN-L**, relative to aid to school districts for the cost of special education, removed by Rep. Carol McGuire.

**HB 471**, establishing a commission to study dual enrollment programs, removed by Rep. Kris Roberts.

**HB 143**, allowing straight ticket voting, removed by Rep. Vaillancourt.

**HB 277**, relative to the oath required of public officers, removed by Rep. Hoell.

**HB 423-L**, relative to amending official ballot warrant articles, removed by Rep. Frederick Rice.

**HB 273-FN-L**, authorizing the commissioner of the department of resources and economic development to enter into contracts for provision of free Wifi Internet access at Hampton Beach state park, removed by Rep. Cushing.

Consent Calendar adopted.

**HB 201**, relative to school district policies on health and sex education. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick M. Ladd for Education: House bills 201 and 161 addressed the issue of district policies affecting opt-out provisions on health and sex education. A house education sub committee merged content from HB 201 into HB 161 with amending language. This bill is no longer needed. Vote 18-0.

**HB 384**, requiring parental consent prior to a mental health examination in public schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E. Shaw for Education: Parental consent is already required by both federal state special Ed laws. RSA 200:34 clearly states the procedures and process that must be followed. This bill is unnecessary and may cause confusion. Vote 18-0.

**HB 309**, relative to filing for office. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Shawn N. Jasper for Election Law: This bill was filed at the request of the secretary of state to correct an inconsistency in filing requirements. Current law requires that if a person must file for office with the secretary of state and does so on the last day, they must appear in person. The bill as filed was intended to require that any person who files for office with the town or city clerk on the last day of the filing period, must also do so in person. The amendment corrects an error in the bill and fulfills the intent of the sponsor and the secretary of state. Vote 17-0.

**Amendment (0303h)**

Amend the bill by replacing section 1 with the following:

1 Primary Candidate. Amend RSA 655:16 to read as follows:

655:16 Personal Filing. Except for those who must file with a town or city clerk, any person who files on the last day of the filing period must do so in person before the secretary of state; provided, however, that this requirement shall not apply to the filling of vacancies by party committees. *If the person must file with a town or city clerk and is filing on the last day of the filing period, he or she shall do so in person.*

**HB 328-FN**, relative to the sale of pets. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen J. Palmer for Environment and Agriculture: This bill is a cleanup bill as a result of a study committee to RSA 437 with no policy changes. This amendment requires that the animal is free from all visual evidence of any communicable diseases or internal and external parasites. Vote 15-0.

**Amendment (0229h)**

Amend RSA 437:13-a, II as inserted by section 8 of the bill by replacing it with the following:

II. For purposes of this section, an official health certificate means a certificate signed by a licensed veterinarian on a form approved by the state veterinarian, containing the name and address of the person transferring ownership of the *dog, cat, bird, or ferret*, the age, sex, breed and description of the *dog, cat, bird, or ferret*, a list of all types of vaccines or medication administered to the *dog, cat, bird, or ferret*, and the certification of the veterinarian that the *dog, cat, bird, or ferret* is free from visual evidence of any communicable diseases *or internal or external parasites*.

Amend RSA 437:13-a, IV as inserted by section 8 of the bill by replacing it with the following:

IV. All incorporated or chartered humane societies with operating shelters in the state of New Hampshire are exempt from the requirements of this section relative to transferring *dogs, cats, birds, or ferrets* except that all *dogs, cats, birds, or ferrets* transferred out of an animal shelter facility shall have a form of positive identification, including but not limited to a tattoo, collar, microchip, ear tag, or any other permanent form of identification approved by the commissioner of agriculture, markets, and food and *dogs, cats, and ferrets* shall be vaccinated against rabies in accordance with RSA 436[~~;~~and]. *All dogs, cats, birds, or ferrets* shall be accompanied by an official health certificate if the *dog, cat, bird, or ferret* was imported into the state for transfer with or without a fee.

**HB 497**, relative to negligent treatment of animals. **INEXPEDIENT TO LEGISLATE.**

Rep. Christy D. Bartlett for Environment and Agriculture: This bill would have added specific acts of negligence to the animal abuse statute – including underweight animals, ammonia levels, and open sores. While the intent is well-meaning, the testimony overwhelmingly pointed out that not all thin dogs are being starved, and not all open sores are due to mistreatment or neglect. The committee determined that our existing animal cruelty statutes are sufficient to deal with real animal abuse. Vote 16-0.

**HB 547**, establishing a commission to study permanent options for funding the veterinary diagnostic laboratory. **OUGHT TO PASS.**

Rep. Robert H. Haefner for Environment and Agriculture: The bill sets up a short term commission to look at options for permanent funding of the veterinary diagnostic lab at UNH. The lab has been funded historically with one third from the university (college of life science and agriculture), one third by the NH department of agriculture, markets and food and one third from user fees. This has reflected the three customers of the lab. Last term the department of agriculture, markets and food, and UNH cut their funding to the lab because the budgets were cut at both UNH and DAMF. We almost lost the lab until we found some money available in other dedicated funds at DAMF. The lab did make some significant cuts to its operating costs. The question: "Is there a better way to fund this lab?" The VDL is one of two only in all of New England, the other at UCONN. There is also one other in the northeast at Cornell. Our lab does get work sent to it from our neighboring states. There are a couple of national labs in the area that provide service for the pet industry, but not livestock or rabies. The lab is also part of our state emergency management organization and it is a teaching arm of the pre-veterinary program at UNH, one of the country's best programs. This is a public health service as well. Vote 15-0.

**HB 156**, relative to the appointment and duties of the state fire marshal. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P. Goley for Executive Departments and Administration: The bill, as amended, corrects some problems created from statutory changes over the years and also makes the language gender neutral. It removes language from RSA 153:7 which deals with the appointment of the state fire marshal as that is now covered in RSA 21-P. The second part of the bill, as amended, removes the reference to RSA 106-A:46 which was repealed in 1987 and correctly substitutes RSA 153. Vote 16-0.

#### Amendment (0058h)

Amend the bill by replacing sections 1 and 2 with the following:

1 State Fire Marshal. Amend RSA 153:7 to read as follows:

153:7 State Fire Marshal. There shall be a state fire marshal who shall be ~~[a citizen of this state and shall be technically qualified by training and experience in the prevention, extinguishing and investigation of fires at the time of his appointment. He shall be appointed by the governor and council from a list of at least 3 nominees submitted by the state advisory board of fire control for an indefinite term, which shall not extend beyond his sixty-fifth birthday]~~ **qualified and appointed by the governor and council in the manner prescribed in RSA 21-P:12.** He ~~or she~~ shall be subject to removal at any time by the governor and council for inefficiency, neglect of duty, or malfeasance in office, after hearing, with reasonable notice in writing of the charges against him ~~or her~~. The office of the state fire marshal shall be located in Concord in suitable quarters provided by the state. ~~[He]~~ **The state fire marshal** shall receive the annual salary prescribed by RSA ~~[94:1-a]~~ **94:1-a**. Such officer shall devote his ~~or her~~ entire time to the duties of the office and ~~[he]~~ shall discharge such duties and responsibilities as are delegated to ~~[him]~~ **the fire marshal** by law.

2 Duties of the State Fire Marshal. Amend RSA 153:4-a, IV to read as follows:

IV. To promote the efficient discharge of his ~~or her~~ lawful duties, the state fire marshal or his ~~or her~~ designee may issue citations for violations of fire safety rules under RSA ~~[106-A:4-b]~~ **153.**

**HB 267**, relative to the board of accountancy. **OUGHT TO PASS.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill clarifies the board's rulemaking authority and replaces the last "public accountant" on the board with a CPA. Since public accountants are the grandfathered pre-CPA professionals, there are fewer than 25 left in the state, and the board requested their dedicated seat be replaced by a current professional. Vote 16-0.

**HB 376**, relative to the shop licensure requirements for barbers, cosmetologists, manicurists, and estheticians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B. Schmidt for Executive Departments and Administration: This bill, as amended, arose from the desire of the trade and their licensing board to allow enterprising practitioners to open their own shops at an earlier point in their careers. There was no opposition to the bill and the committee felt we should not unnecessarily restrict ambitious young business people. Vote 16-0.

#### Amendment (0148h)

Amend the bill by replacing section 1 with the following:

1 Barbers; Shop Licensure; One Year Requirement Removed for Barbers. Amend RSA 313-A:19 to read as follows:

**313-A:19 Shop Licensure.**

I. It shall be a misdemeanor for any person, as owner, manager, or agent, to open, establish, conduct, or maintain a salon, barbershop, or mobile barbershop without first having obtained a shop license from the board. Application for such shop license shall be made to the board in writing and shall state the name and address of the owner of such shop, the shop's address or, in the case of a mobile barbershop, the business mailing address of the owner, and such other information as may be required by the board. Licenses under this section shall be conspicuously posted within the licensed establishment.

II. (a) Any licensed barber, cosmetologist, manicurist, or esthetician ~~[who has completed one year of actual experience in a salon or barbershop]~~ shall, upon written application accompanied by the required fees, receive a license to operate a salon, barbershop, or mobile barbershop in this state, provided that the salon, barbershop, or mobile barbershop meets all requirements established in the rules of the board.

(b) Booths attached to or within a salon or barbershop that are operated independently of the salon or barbershop shall be subject to licensure in the same manner as an independent establishment, except that each independently operated booth shall not be required to have a separate sink or shampoo bowl.

III. In the event of a change of location of any licensed shop and upon notice thereof, the board shall issue a transfer of licensure of such shop to its new location, provided such new location meets the requirements of this section. The board may revoke any shop license upon a finding that such shop fails to comply with this chapter or the rules adopted by the board; provided that, before any such certificate shall be revoked, the holder shall have notice thereof and be granted a proper hearing.

IV. In addition to licenses issued under paragraph II, the board may issue a license to an owner of a salon or barbershop who does not personally engage in cosmetology, barbering, or esthetics, provided the salon or barbershop shall fulfill all requirements set forth in the rules of the board and provided further that the owner has paid the required license fee for such salon or barbershop and employs a licensed cosmetologist, barber, manicurist, or esthetician as manager ~~[who has previously completed one year of actual experience]~~ in ~~[a licensed]~~ the salon or barbershop. However, this section shall not authorize such owner to practice cosmetology, barbering, manicuring, or esthetics unless the owner has a cosmetologist, barber, or esthetician license.

**AMENDED ANALYSIS**

This bill removes the requirement that barbers, cosmetologists, manicurists, and estheticians have one year of experience prior to the granting of a shop license.

**HB 377, relative to archeological investigations on private or public property. INEXPEDIENT TO LEGISLATE.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill would forbid archeological investigations unless there is "concrete evidence that relics exist at that location," and requires stopping construction if "significant relics" are found. Unfortunately this is totally contrary to the principles of archeology, and creates a new duty for property owners: to look for relics, decide if they are "significant" and notify the state if they are, stopping work while they investigate. Right now there are no state laws or requirements in this area; all the requirements are federal. A preliminary archeological survey is required when getting a federal permit, or a joint federal/state permit, such as a wetlands excavation permit. The process required by this bill is not only clumsy; it is in violation of federal law. Vote 16-0.

**HB 385, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank A. Byron for Executive Departments and Administration: This bill, as amended, modifies in RSA 157-B:8-a the requirements for licensure of elevator and accessibility lift mechanics from greater than 5 years to 2 years of documented experience working under a NH licensed elevator or accessibility lift mechanic. The bill also allows for the licensure of elevator or accessibility lift mechanics without an examination who are licensed in other states provided that the licensing requirements of New Hampshire are not greater than those of the other state. These provisions will make it easier for NH mechanics to receive the benefits of other states' reciprocity rules. The bill also

amends RSA 319-C:3 by providing an exception to the requirement to hold an electrician's license for licensed elevator or accessibility lift mechanics working only on electrical wiring originating from a final disconnecting means at the equipment or at equipment disconnects located in the elevator machine room and associated with elevator equipment, elevator hoist way doors and the elevator car for both commercial and residential installations. Committee members believe this provides the best allocation of responsibility, with electricians handling general wiring up to the elevator or lift, and the elevator and lift mechanics handling the specialized wiring for the elevator or lift installation. Vote 15-0.

#### Amendment (0309h)

Amend the bill by replacing all after the enacting clause with the following:

1 Elevator and Accessibility Lifts; License Requirements. Amend RSA 157-B:8-a to read as follows:

157-B:8-a Mechanics. An elevator or accessibility lift mechanic shall pass an examination given by the commissioner *provided the person has at least 2 years of documented experience working directly under a licensed New Hampshire elevator or accessibility lift mechanic*, except in cases in which an elevator or accessibility lift mechanic has proven to the satisfaction of the commissioner *that the person has* experience in excess of 5 years within the state. A license shall be issued to the mechanic for a 2-year period. A fee of \$50 shall be charged for the initial examination and license. A license may be renewed every 2 years upon payment of a fee of \$35. Employees of the department of labor shall not be charged for the issuance or renewal of a license. A person who holds a certificate or license of competency as a mechanic ~~[equal to that of this]~~ *issued by another state may be issued a license without examination upon payment of a fee of \$35, provided that licensees of this state are not subject to greater requirements for certification or licensure in the other state than those required by this state.* The commissioner may revoke any license for cause shown, after a hearing. The holder of a license under question shall receive 7 days' written notice informing the licensee of the charges and of the time and place of the hearing.

2 New Paragraph; Electricians; Exception for Licensed Elevator and Accessibility Lift Mechanics. Amend RSA 319-C:3 by inserting after paragraph XI the following new paragraph:

XII. An elevator or accessibility lift mechanic licensed by the labor commissioner under RSA 157-B:8-a and rules adopted thereunder (a) for accessibility lifts, at the wiring originating from the final disconnecting means at the equipment; or (b) for elevators, at the equipment disconnects located in the elevator machine room and associated with the elevator equipment, elevator hoistway doors, and elevator car only; in both commercial and residential installations on elevator and accessibility lift controls.

3 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill adds a requirement of 2 years of experience working under a licensed elevator or accessibility lift mechanic in order to be licensed in this state and clarifies the eligibility for licensure by reciprocity. The bill also exempts licensed elevator and accessibility lift mechanics from requirements for licensure as an electrician for work in both commercial and residential installations on elevator and accessibility lift controls.

**HB 637-FN-A**, transferring licensing for retail tobacco sales to the department of revenue administration from the liquor commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Jeffrey P. Goley for Executive Departments and Administration: This bill would transfer the licensing of tobacco sales from the liquor commission to the department of revenue administration. The liquor commission already enforces laws dealing with tobacco products and the committee felt tobacco licensing should remain there, just as liquor and tobacco are with the ATF at a federal level. Currently liquor and tobacco licensing are done on one form and sent to one agency. If this bill passes, businesses will have to file two forms with two different agencies. Both the New Hampshire grocers association and the New England convenience stores association opposed the bill because the current system is working well for them. Vote 16-0.

**HB 656-FN**, requiring state agencies to develop performance measures and to develop budgets for each biennium. **INEXPEDIENT TO LEGISLATE.**

Rep. Howard M. Moffett for Executive Departments and Administration: This bill would require all executive departments to submit biennial budgets to the department of administrative services,

and would require each state agency to adopt a “performance measurement system” for each of its programs. Although the committee supported the idea of performance measurement, it was concerned that: (1) there were too many questions about how performance would be measured; (2) the Finance Committee is working on a comparable bill, and is a better place to work out the details; (3) the proposed oversight committee would require significant additional time from some of the busiest members of the legislature; and (4) because department heads report to the governor rather than the legislature, the bill raises a significant separation of powers issue. Vote 16-0.

**HB 408**, establishing approved titles for articles of the New Hampshire Constitution. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary: The New Hampshire Constitution, as originally enrolled, did not contain titles for the various articles. This bill seeks to supply those missing titles even though, over the years, printers and publishers have supplied their own titles. The Committee did not feel that the legislature had the authority to effectively amend the New Hampshire Constitution through legislation as opposed to a constitutional amendment. Vote 19-0.

**HB 543**, relative to ascertaining damages to abutting landowners. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph M. Hagan for Judiciary: This bill sets procedures determining damages to private lands when changes in grade or drainage are required for town highway maintenance or repair. Examples include changes in drainage structures such as ditches and culverts. The amendment corrects an error in timing. Vote 20-0.

#### **Amendment (0265h)**

Amend RSA 231:75, II as inserted by section 2 of the bill by replacing it with the following:

II. The selectmen shall hear any owner desiring to be heard, either at a hearing noticed under paragraph I, or otherwise within 30 days after receiving a hearing request from an aggrieved owner. If an aggrieved owner applies for damages, the selectmen shall view the premises and assess the damages, if any, within 30 days of said hearing or within 30 days after the completion of the work, whichever is later, and shall file a record of their proceedings in the office of the town clerk. In assessing damages, any benefit which the landowner may receive by such repairs may be set off against the owner's claim. A hearing request made under this paragraph shall be made within 6 months following the completion of the work, and not afterward.

**HB 577-FN**, relative to responsibility for hazardous materials accidents. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael J. Sylvia for Judiciary: This bill unnecessarily alters the party to be held responsible for the costs associated with hazardous materials accidents. This bill would shift the burden from the person “whose act or omission caused” the accident to a natural person or other person who is the owner, custodian, or otherwise is in possession or control of the hazardous materials involved. This would send a chilling economic signal to our state's businesses. Vote 18-0.

**HB 200**, relative to an employer's burden of proof in unemployment compensation hearings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael D. Cahill for Labor, Industrial and Rehabilitative Services: This bill states that the employer, employer's agent or representative shall appear and present proof of alleged employee misconduct at the appeal tribunal. It is the amendment that requires the appearance of the employer or his/her agent at the tribunal. The current process does not require attendance of the employer in the appeal process. We received testimony that employees are being found ineligible for unemployment without the benefit of due process. Vote 15-0.

#### **Amendment (0263h)**

Amend the bill by replacing section 1 with the following:

1 Unemployment Compensation; Procedure During Appeals. Amend RSA 282-A:56 to read as follows:

282-A:56 Procedure. A hearing shall be conducted in such a manner as to ensure a fair and impartial hearing to the interested parties. The appeal tribunal shall hear the appeal de novo and shall not be bound by prior findings or determinations of the department of employment security although the records of said department shall be part of the evidence to be considered by the tribunal.



An appeal shall be filed and presented and the hearing conducted in accordance with rules adopted by the commissioner. Such rules need not conform to common law or statutory rules of evidence or other technical rules of procedure. The place and time of a hearing shall be determined by the commissioner. In no case shall a hearing proceed unless the chairman is present. With the agreement of all the parties the appeal tribunal may, without holding a hearing, remand a determination for redetermination pursuant to RSA 282-A:46 for the purpose of correcting obvious department error. ***If the employer alleges he or she dismissed the employee because of the employee's misconduct, the employer or the employer's agent or representative shall appear and shall present proof of such misconduct.***

#### AMENDED ANALYSIS

This bill requires employers to appear and present proof of misconduct when alleging an employee was dismissed for misconduct.

**HB 359**, relative to mailing of notices and determinations by the department of employment security. **OUGHT TO PASS.**

Rep. Douglas A. Ley for Labor, Industrial and Rehabilitative Services: The bill leaves to the discretion of the Commissioner of the Department of Employment Security the choice to use first class mail rather than certified mail in sending notices of withdrawals of appeals and decisions on requests to reopen appeal tribunal decisions. Cost savings to the state are estimated at \$6000 per annum. In the unlikely event the intended recipient (who requests the mailing) states that s/he did not receive the notice, the department will accept such claim and mail it a second time. Vote 13-0.

**HB 360**, relative to overpayments caused by arbitration awards, back pay awards, settlement agreements, or jury verdicts. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael D. Cahill for Labor, Industrial and Rehabilitative Services: This bill was requested by the department of employment security and would establish joint liability for employers and employees regarding restitution in the event of overpayment in certain situations. After additional consideration and consultation with the department, the sponsor requested the committee find it inexpedient to legislate. Vote 13-0.

**HB 361**, relative to worksharing. **OUGHT TO PASS.**

Rep. Janice E. Schmidt for Labor, Industrial and Rehabilitative Services: This bill brings New Hampshire work sharing requirements into alignment with the federal unemployment tax act. Work sharing allows employers to reduce working hours for an entire group of employees rather than laying off some employees and continuing full employment for others. The plan provides unemployment compensation at a reduced rate. Currently there are 169 employees participating in 15 separate plans. The changes require employers to provide benefits as if the hours had not been reduced, requires a plan presented to the department to include the details of the plan and allows the commissioner to sever any part of the statute that is not approved at the federal level. Vote 14-0.

**HB 268-FN**, establishing a moratorium period for lobbying for certain state officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Joel F. Winters for Legislative Administration: This bill would extend the prohibition on lobbying by certain public officials after leaving office from six months to one year. The committee was not persuaded that there a problem with the current law that needed to be fixed. Vote 11-0.

**HB 602**, establishing a committee to study general court policies and procedures relative to persons with disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joel F. Winters for Legislative Administration: This bill would have established a study committee to look at how people with disabilities fare under the policies and procedures in the state house complex. The committee agreed there were issues that should be looked at, such as access to the senate gallery. The amendment changes this to a sunset commission so that public members with interest in the needs of people with disabilities can be appointed. Vote 9-0.

#### Amendment (0319h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study general court policies and procedures relative to persons with disabilities.

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Commission to Study General Court Policies and Procedures Related to Persons with Disabilities. Amend RSA by inserting after chapter 19-L the following new chapter:

#### CHAPTER 19-M

### COMMISSION TO STUDY GENERAL COURT POLICIES AND PROCEDURES RELATED TO PERSONS WITH DISABILITIES

19-M:1 Commission Established. There is established a commission to study general court policies and procedures related to persons with disabilities.

19-M:2 Membership and Compensation.

I. The members of the commission shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

(c) Two members of the public having an interest in the needs of people with disabilities, appointed by the governor.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

19-M:3 Duties. The commission shall study general court policies and procedures related to persons with disabilities. The commission study shall include, but not be limited to, procedures to ensure that legislators and citizens with physical disabilities have full access to general court facilities.

19-M:4 Chairperson. The members of the study commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section.

19-M:5 Report. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

2 Repeal. RSA 19-M, relative to the commission to study general court policies and procedures related to persons with disabilities, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2013.

II. The remainder of this act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill establishes a commission to study general court policies and procedures relative to persons with disabilities.

**HB 122**, relative to limitation of appropriations in official ballot municipalities. **INEXPEDIENT TO LEGISLATE.**

Rep. James Verschuere for Municipal and County Government: The bill sought to permit the recommendations of the budget committee in an official ballot referendum municipality that are revised after the deliberative session, to be used for determining the 10 percent limitation on appropriations. Testimony revealed that the issue ensued from a dispute between selectmen and the budget committee in a particular town. The dispute resulted in the town budget being more limited than it might have been had the dispute been resolved earlier. Additional testimony indicated that the bill offered no improvement on current law. The committee concurred that the issue presented was best left to local resolution and that the bill offered no improvement to current law. Vote 14-0.

**HB 280**, relative to voting requirements in towns that have adopted official ballot voting. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce L. Tatro for Municipal and County Government: This bill would require a 2/3 vote to amend a petitioned warrant article. The committee felt that a petitioned article should not have greater value than any other article on the warrant. A petitioned article should be able to be amended the same as other articles, by majority vote. Vote 14-0.

**HB 283**, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B. **OUGHT TO PASS.**

Rep. Tom Lavender for Municipal and County Government: This bill establishes and sets parameters for a study committee to review the report regarding the New Hampshire local government center and to study potential changes to RSA 5-B. Vote 14-0.

**HB 330-FN-L**, allowing counties to adopt a county income tax to be administered by the department of revenue administration. **INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie A. Porter for Municipal and County Government: This bill would allow counties to establish a 1% tax on income as determined by federal IRS tax filings, with the proceeds to be used to fund education. Collection and distribution of the tax would be the responsibility of the DRA. The committee found this bill fraught with difficulties and unwieldy to administer. NH has no way of accessing federal tax information, as we do not have a state income tax. The bill does not specify how the proceeds would be appropriated to schools within the county. DRA does not have the manpower or financial resources to administer the program and an undue burden would be placed on employers, who may have to report their employee's earnings to many different counties. Vote 15-0.

**HB 369**, relative to investment of excess funds by the county treasurer. **INEXPEDIENT TO LEGISLATE.**

Rep. Dorothea D. Hooper for Municipal and County Government: This bill intended to clarify the investment duties of the county treasurer and to repeal a duplicate authority. The committee determined that the bill muddies the role of the county treasurer. In addition it strains the ability of the executive committee to get members to meetings. Vote 13-2.

**HB 438**, relative to the appraisal of residences in an industrial or commercial zone. **INEXPEDIENT TO LEGISLATE.**

Rep. James E. Coffey for Municipal and County Government: This bill extends the practice of using residential assessment values in a commercial district for properties that are occupied by the owner as the person's principal place of abode to properties that are of a mixed residential and commercial use. The bill fails to create a workable state-wide standard and makes the proposed changes optional on a case by case basis. After considerable discussion, including consideration of an amendment, the committee voted to ITL the bill. Vote 16-0.

**HB 446**, relative to the amount of the optional property tax credit for service-connected total disability. **INEXPEDIENT TO LEGISLATE.**

Rep. Kris E. Roberts for Municipal and County Government: This bill would allow towns and cities to increase the optional property tax credit for service-connected total disability veterans from a maximum of \$2000 to an amount which is one-half total annual property tax bill on each veteran's residential property. Currently RSA 72:27-a provides \$701 or up to \$2000 if authorized by local town or city. The committee understands the fiscal and personal hardship that a totally disabled veteran must confront, but the major beneficiaries of HB 446 would be senior retired military officer homeowners who receive both a military pension and an additional 32 thousand dollars tax free VA payment, plus any unearned income. Unfortunately there are numerous totally disabled veterans who were medically retired and are not homeowners. They receive no tax credit. The committee was concerned with the word shall, with ½ of annual property tax bill. It would create an unequal credit across the state. The maximum \$2000 applies to every community. One half would have no maximum, resulting in local taxpayer subsidizing high income homeowners. Vote 16-0.

**HB 425**, relative to bridge aid and highway block grants for class V roads in certain village districts. **INEXPEDIENT TO LEGISLATE.**

Rep. John R. Cloutier for Public Works and Highways: The bill as written on the title page has two sections. The first section would make certain village districts eligible to receive state bridge aid and highway funds. The second section would require the department of transportation's bureau of municipal highways to inventory certain roads annually. The committee especially believes the first section would be a major policy change which could reduce the total amount of municipal bridge and highway aid to at least municipalities that contain three miles or more of Class V (least traveled) municipal public roads. Also, the committee believes that the state highway fund's present constrained fiscal situation precludes any increased municipal bridge and highway aid to municipalities. Vote 20-0.

**HB 441**, making a capital appropriation for the construction of a monument commemorating the 400th anniversary of the discovery of the Isles of Shoals by John Smith. **INEXPEDIENT TO LEGISLATE.**

Rep. David B. Campbell for Public Works and Highways: This bill contemplates the construction of a monument on state-owned land to commemorate one of the few 400th anniversaries to thus far

be celebrated in the United States of America. St. Augustine, Florida and the doomed Jamestown Colony have had 400th celebrations, (the Jamestown event was attended by Queen Elizabeth, II of England) even as the Plimoth Plantation is readying for its 400th in 2020. However, New Hampshire has the opportunity to honor, celebrate and memorialize its own significant 400th anniversary next year in 2014. In 1614, famous explorer Captain John Smith discovered and charted the Isles of Shoals six miles off the New Hampshire coast. He named them "Smyth Iles," a name which did not stick and described them in an English best-selling book, a "Description of New England." However, his "description" of our coastline and his christening this region "New England" (with the permission of King James I), is widely credited for the great excitement in England to colonize what have become, to this day, the six "New England" states. This voyage and the discovery of the Isles of Shoals would be Smith's last to the New World. Previously, Smith was a leader at Jamestown, where he was famously saved from death by the Indian maiden Pocahontas. Prior even to this, by the age of 24, Smith had fought as a mercenary against the Turks in Eastern Europe, (for which he had been knighted in Transylvania), captured and sold into slavery and eventually escaped back to England. To mark the 250th anniversary of Captain John Smith's discovery of the Isles of Shoals, a monument was erected on Star Island on private land in 1864. It was a four-sided marble obelisk topped by three severed, turban-clad Turkish heads, in "tribute" to Smith's earlier life. By the 300th anniversary in 1914, the sea had badly damaged the monument and it was rebuilt with a giant stone and bronze plaque. Over the past century, this monument too, has been greatly worn by the elements. The intent of this bill is to create a state built monument and a tourist attraction on state-owned land (probably on the mainland) in order to honor the 400th anniversary and our great state of New Hampshire. The committee voted unanimously to recommend this bill Inexpedient to Legislate in order to consider it, more properly, in the overall state Capital Budget. Vote 18-0.

**HB 509**, requiring the department of administrative services to provide the New Hampshire Department of American Legion with office space. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways: This bill is a simple update of existing chapter law and does not change the relationship of the state of New Hampshire and the American Legion. Chapter 175, the Laws of 1921, requires that the state provide office space free of charge to the American Legion "in the State House." The Legion currently occupies office space in the State House Annex, and working with Administrative Services, is planning to move from there to similar space at the Gallen Office Park. The bill will allow that move to take place without violating existing statutes. The amendment deletes existing chapter law so that there will not be any confusion over which location takes precedence when this bill becomes law. Vote 19-0.

#### **Amendment (0333h)**

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Repeal. 1921, 175, relative to providing permanent headquarters in the state house for the New Hampshire Department of the American Legion, is repealed.

**HB 550**, relative to the disposition of state-owned real estate. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways: The bill amends RSA 4:40, the law dealing with the disposal or sale of surplus state real estate. Currently towns, cities or counties have first right of refusal on the purchase of any such property. However, as the RSA now reads it could be interpreted that the municipality has an unlimited amount of time to declare its intentions once the property is placed on the market. The bill establishes a time frame within which the town, city or county must state if it intends to purchase the property or not. The amendment sets this time at 60 days. The bill also allows up to 15 months to complete the transaction, which provides sufficient time for warrant articles, budgets, etc., to be acted on. Secondly, the bill requires that if a city, town or county, after purchasing surplus property from the state, subsequently sells the same property then the state shall have first right of refusal on the real estate. Vote 19-0.

#### **Amendment (0194h)**

Amend RSA 4:40, I as inserted by section 1 of the bill by replacing it with the following:

I. Except as provided in RSA 4:39-c, RSA 228:31-b, and RSA 204-D, upon recommendation of the head of any state department having jurisdiction over the same, all requests for the disposal

or leasing of state-owned properties shall be reviewed and approved by the long range capital planning and utilization committee, with advice from the council on resources and development, prior to submission to the governor and council for approval. Upon determination that the property is no longer needed by the state, the governor and council shall first offer it to the town, city, or county in which the property is located. ***The town, city, or county shall have 60 days from the date of approval by the long range capital planning and utilization committee to accept the offer and 15 months to complete the transaction.*** If the town, city, or county refuses the offer, the governor and council may sell, convey, transfer, or lease the real property.

**HB 607**, relative to construction projects for the adjutant general's department. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Franklin T. Tilton for Public Works and Highways: Currently all construction and/or building renovations costing more than \$25,000 are required to be managed and bid through the bureau of public works design and construction. The departments of fish & game and resources & economic development have an exemption and are allowed to competitively bid construction projects with a value of \$250,000 or less without going through the bureau of public works design and construction. Both these departments have their own engineers and/or architect and oversee small projects at a value of \$250,000 or less. The adjutant general's department now possesses the professional and technical expertise to perform similar services. The state staff is complemented by federal employees including mechanical and civil engineers and an architect. This bill with its clarifying amendment simply adds the adjutant general as a department that may construct or renovate projects costing \$250,000 or less. This will allow New Hampshire to receive federal dollars that have to be used on essential projects within a short timeframe; often these federal dollars had to be rejected in the past and were used by other states. Vote 19-0.

**Amendment (0163h)**

Amend the bill by replacing section 1 with the following:

1 Public Works Design and Construction; Major Projects; Adjutant General's Department Added.  
Amend RSA 21-I:80, I(b) to read as follows:

(b) Projects for the department of fish and game, *the adjutant general's department*, and the department of resources and economic development whose estimated total cost is not more than \$250,000. Such projects may be done on a force account basis, by contracts awarded through competitive bidding, by short term rental of construction equipment, or by any combination of these methods. These departments are authorized to rent construction equipment for periods not exceeding 6 months at rates the departments deem competitive through the use of quotes or bids.

**AMENDED ANALYSIS**

This bill establishes an exemption from the competitive bidding requirement for certain public works design and construction projects for the adjutant general's department.

**HB 157**, renaming Blood Pond in the town of Lancaster as Mountain Lake Pond. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jane Cormier for Resources, Recreation and Development: The amendment to this bill replaces the entire bill. It states that the pond known as Blood Pond in the town of Lancaster shall be renamed Evans Pond. Some in the community thought reverting the name back to Evans Pond, as it was once previously known, would be beneficial to the area. The Lancaster Select Board held a public hearing regarding the name change. No opposition was heard. Since Blood Pond is a natural water body larger than 10 acres, the name change must be authorized by the legislature. Vote 17-0.

**Amendment (0307h)**

Amend the title of the bill by replacing it with the following:

AN ACT renaming Blood Pond in the town of Lancaster as Evans Pond.

Amend the bill by replacing section 1 with the following:

1 Renaming Blood Pond. The pond known as Blood Pond in the town of Lancaster shall be renamed as Evans Pond.

**AMENDED ANALYSIS**

This bill renames Blood Pond in the town of Lancaster as Evans Pond.

**HB 233**, relative to the care of war memorials in Franconia Notch state park. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Henry A. L. Parkhurst for Resources, Recreation and Development: The war memorial at Profile Lake in Franconia Notch State Park honors the men and women who have served New Hampshire in times of war. Veterans and their families will pay no fee to visit the war memorial, but will be subject to fees for amenities, amusements and concessions. Volunteers and veterans groups will continue to purchase and install signage and enhance and maintain the memorial site. HB 233 has no fees attached and presumes that the Franconia State Park War Memorial will not be subject to development. The amendment corrects a typographical error to make memorial singular not plural. Vote 17-0.

**Amendment (0137h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the care of the war memorial in Franconia Notch state park.

Amend the bill by replacing section 1 with the following:

1 New Section; Expansion of State Park System; Franconia Notch State Park; War Memorial. Amend RSA 216-A by inserting after section 6-a the following new section:

216-A:6-b Franconia Notch State Park War Memorial.

I. The war memorial on the eastern shore of Profile Lake in Franconia Notch state park shall be maintained for viewing and visiting by veterans and the public. Signage that recognizes the status of the park as a memorial to the men and women of New Hampshire who have served the nation in times of war as provided for in 1925, 260, and signage that directs people to the memorial site shall be placed in appropriate locations. The state shall not be responsible for the cost of purchasing and installing the signage. The design, construction, installation, and maintenance of any signage authorized under this section shall be approved by the department of resources and economic development or the department of transportation, depending on which agency has jurisdiction under the circumstances. Veterans groups may aid the state in the purchase and placement of signage and enhancing and maintaining the memorial sites through programs such as the Adopt-a-Park program and by other means. Veterans, as defined in RSA 21:50, and members of a veteran's immediate family accompanying them, shall pay no fee to visit the war memorials on the eastern shore of Profile Lake. Fees may be charged for the use of amenities, improvements, amusements, special events, and other enterprise and concession activities.

II. The director of the division of parks and recreation may solicit, accept, and expend any gifts, grants, and donations for the purpose of placement of signage, and enhancing and maintaining the war memorials in accordance with this section.

**AMENDED ANALYSIS**

This bill establishes the standards of care for the war memorial in Franconia Notch state park.

**HB 507-FN**, relative to the maximum permit application fee for certain municipal dredging projects. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne J. Smith for Resources, Recreation and Development: This bill brings wetland application fees for municipal dredging projects in line with the statutory cap already in place for similar NH department of transportation projects and tidal dredging projects which benefit municipalities. This bill will lower the application fee paid for large municipal dredging projects to an amended maximum of \$10,000 (the original bill asked for \$5,000). DES testified that large scale projects which would qualify for the cap are rare and they offered support for the bill. Vote 17-0.

**Amendment (0241h)**

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Excavating and Dredging Permit; Maximum Application Fee. Amend RSA 482-A:3, X by inserting after subparagraph (b) the following new subparagraph:

(c) For municipal dredging projects with the primary purpose to restore or reclaim a lake or pond, the maximum application fee for a municipality shall be \$10,000 per application plus provisions for technical or consulting services or a combination of such services as necessary to meet the needs of the department. The department may enter into a memorandum of agreement with a municipality to accept equivalent technical or consulting services or a combination of such services in lieu of a portion of the standard application fees.

Referred to the Committee on Ways and Means.

**HB 212**, relative to charitable gaming. **INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T. Lovejoy for Ways and Means: This bill reduces the payout to charities from charitable gaming. Under this bill the 35 percent payout to the charities would be calculated after taxes rather than before taxes. The committee was against any reduction in the payout to charities. In addition this bill made changes to the remitting requirement which will be addressed in HB 314. Vote 15-2.

**REGULAR CALENDAR****SPECIAL ORDERED**

Without objection, the Speaker made **HB 535**, establishing the white potato as the state vegetable, a special order as the next order of business.

**SPECIAL ORDER**

**HB 535**, establishing the white potato as the state vegetable. **OUGHT TO PASS.**

Rep. John T. O'Connor for Environment and Agriculture: At the request of Derry's Village School fourth Graders and the positive research showing that Derry, New Hampshire is where the first white potato was grown in North America, it has been confirmed that Rev. James MacGregor brought a sack of seed potatoes and planted them in 1719 in an area called Nutfield now known as Derry, New Hampshire. The state of Virginia challenged New Hampshire's first in the country claim after research. The Commissioner of Virginia wrote a letter to our state commissioner stating and I quote "According to the best information that we can find, the Irish potato did not come to Virginia until after your 1719 incorporation. We therefore concede to the Great State of New Hampshire, the honor of introducing to this country one of the great food crops." Because of this reason the committee feels strongly that the white potato deserves to be the state vegetable. Vote 14-1.

Rep. Parison spoke against and yielded to questions.

Rep. O'Connor spoke in favor.

On a division vote, 276 members having voted in the affirmative and 75 in the negative, the committee report was adopted and ordered to third reading.

**REGULAR CALENDAR (CONT'D)**

**CACR 3**, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Deanna S. Rollo for the Majority of Children and Family Law: The United States and the New Hampshire Supreme Courts have consistently recognized the natural rights of parents to raise their children as they see fit. This constitutional amendment, although it may be well intended, presents unintended consequences. The rights of parents have to be balanced with the best interest of the children. The House has defeated this exact amendment on three previous occasions. Vote 14-6.

Rep. Daniel C. Itse for the Minority of Children and Family Law: This proposed amendment to the constitution of the State of New Hampshire would enable the people to assert their natural right to parent their children, to control the health, education and welfare of their children. This amendment affirms repeated decisions of the supreme courts of the state and United States. It would in no way diminish the legitimate power of the state to intervene in situations where parents have committed some act that amounts to forfeiture, such as abuse or neglect. It would set forth as the standard for statute or enforcement the eventual result should a family have the resources to appeal to the highest courts.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Hoell and Itse spoke against.

Rep. DeSimone spoke in favor and yielded to questions.

Rep. Lambert requested a roll call; sufficiently seconded.

**YEAS 228 NAYS 133**

**YEAS 228**

**BELKNAP**

Arsenault, Beth  
Huot, David

Burchell, Richard  
Raymond, Ian

DiMartino, Lisa  
Tilton, Franklin

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
White, Syndi

Lavender, Tom

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Johnson, Jane  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Hunt, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Richardson, Herbert

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Chandlee, Shannon  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Judy, Jean  
Leishman, Peter  
MacKay, Mariellen  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Walsh, Robert Jr

Beaulieu, Jane  
Connor, Evelyn  
Dobson, Jeremy  
Gidge, Kenneth  
Graham, John  
Heden, Ruth  
Kelley, John  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Ober, Russell III  
Schmidt, Janice  
Soucy, Timothy  
Takesian, Charlene  
Williams, Kermit

Campbell, David  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Jack, Martin  
Knowles, Mary Ann  
Levesque, Melanie  
McNamara, Richard  
Palangas, Eric  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne  
Winters, Joel

Carroll, Douglas  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Jasper, Shawn  
Kirk, Neal  
Long, Patrick  
Nelson, Mary  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Daniel  
Vaillancourt, Steve  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Lockwood, Priscilla  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Walsh, Thomas IV

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Kotowski, Frank  
Patten, Dick  
Rogers, Katherine  
Turcotte, Alan  
Watrous, Rick

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Hayes, Jack

Belanger, Ronald  
Cahill, Michael  
Cushing, Robert Jr  
Ferrante, Beverly  
Heffron, Frank

Borden, David  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Flockhart, Eileen  
Helmstetter, Barbara

Briden, Steven  
Charron, Gene  
Elliott, Robert  
Grace, Curtis  
Khan, Aboul



Lovejoy, Patricia  
Muns, Chris  
Schlachman, Donna  
Ward, Gerald

Mann, Maureen  
Nigrello, Robert  
Sherman, Thomas  
Wazlaw, Brian

McMahon, Charles  
Pantelakos, Laura  
St.James, Kevin  
Whittemore, Lisa

Moody, Marcia  
Peckham, Michele  
Sytek, John

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Verschueren, James

Berube, Roger  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith

Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

### NAYS 133

### BELKNAP

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Luther, Robert

### CARROLL

Ahlgren, Christopher  
Morrow, Harry

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Umberger, Karen

McConkey, Mark  
Wright, Donald

### CHESHIRE

None

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Garcia, Michael  
Infantine, William  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Warden, Mark

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Hansen, Peter  
Lambert, George  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Willette, Robert

Boehm, Ralph  
Christiansen, Lars  
Flanagan, Jack  
Hikel, John  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Ulery, Jordan

Burt, John  
Coffey, James  
Gagne, Larry  
Hopper, Gary  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Villeneuve, Moe

### MERRIMACK

Hess, David  
Reed, Dennis

Hoell, J.R.  
Smith, Todd

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina

Allen, Mary  
Bishop, Franklin

Baldasaro, Alfred  
Chirichiello, Brian

Bick, Patrick  
Comerford, Timothy

Danaïs, Romeo	Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy
Fesh, Robert	Friel, William	Garcia, Bianca	Garcia, Marilinda
Gordon, Richard	Griffin, Mary	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Lundgren, David	Major, Norman	McKinney, Betsy
Milz, David	O'Connor, John	Oligny, Jeffrey	Packard, Sherman
Perkins, Amy	Perkins, Lawrence	Priestley, Anne	Rice, Frederick
Sanders, Elisabeth	Sapareto, Frank	Scarlotto, Joe	Schroadter, Adam
Sedensky, John	Tamburello, Daniel	Tasker, Kyle	Tremblay, Stella
Tucker, Pamela	Waterhouse, Kevin	Webb, James Sr	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Groen, Warren	Jones, Laura
Mullen, John Jr	Parsons, Robbie		

**SULLIVAN**

Rollins, Skip                      Smith, Steven  
and the majority committee report was adopted.

**SPECIAL ORDER**

**HB 303**, establishing a committee to study the teaching of a second language beginning in kindergarten. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Rick M. Ladd for the Majority of Education: The committee majority recognizes benefits associated with teaching a second language in kindergarten and in subsequent grades. Current education rules as approved by the state board of education currently state that a local school board may provide instruction in one or more world languages in an elementary school and later years. The extent of this instruction and the students to whom it is offered shall be determined by local school board policy. This is a local district policy and funding decision. A committee study is therefore, not necessary. Vote 11-7.

Rep. June M. Frazer for the Minority of Education: This bill was a response to a recommendation by the legislative youth advisory council, 19 young people appointed by the governor, the president of the senate, the speaker of the house, or the secretary of state. The commissioner of education was enthusiastic when the youth council talked about it to her. The seven members initially supporting the bill argued that the great advantages of early world language learning, for example – promoting greater language ability in later grades and enriching brain development, would make the research of the proposed study committee a valuable resource to local school districts interested in such a program.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Gargas spoke against.

Rep. Ladd spoke in favor.

On a division vote, 258 members having voted in the affirmative and 97 in the negative, the majority committee report was adopted.

**HB 197**, relative to state representative districts in Hillsborough county. **INEXPEDIENT TO LEGISLATE.**

Rep. Kathleen M. Hoelzel for Election Law: In the New Hampshire Supreme Court case “Petition of Below” in 2004, the Court found that “pursuant to Part II, Articles 9, 11, and 26, the legislature may not reapportion again until its regular session following the next decennial federal census.” In addition, testimony from the Attorney General’s office stated that if this bill passed, the range of deviation would be 11.4% in one Manchester ward. The majority of the committee was sympathetic to the plight of the Pelham voters but did not feel we could constitutionally address it. Vote 13-4.  
Rep. Takesian spoke against.

Rep. Hess spoke in favor and yielded to questions.

Rep. Gary Richardson spoke in favor.

On a division vote, 305 members having voted in the affirmative and 49 in the negative, the committee report was adopted.

**HB 207**, relative to the inspection and regulation of coin-operated amusement rides. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter B. Schmidt for Executive Departments and Administration: This bill resulted from an accident caused by the improper placement of one of the above-referenced amusement rides rather than a defective or faulty machine. Members of the committee visited an amusement facility and viewed a dozen such machines in operation. We concluded that they pose no danger to the public and insurance records showed no accidents or claims over a decade-long period. The proposed regulations would have resulted in the removal of the machines, according to testimony of several business operators, unnecessarily depriving young children "of a little thrill, but not too much," to quote one entrepreneur. Vote 16-0.

Rep. Cali-Pitts spoke against.

Rep. Peter Schmidt spoke in favor and yielded to questions.

Committee report adopted.

**HB 266**, repealing certain agency rulemaking exemptions from the administrative procedures act. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy M. Weber for the Majority of Executive Departments and Administration: The bill, as originally drafted, would have repealed a number of long-standing exemptions from the rule-making process under the administrative procedures act. Included were such differing areas as driveway permits, use of limited access highways, licensing utility poles within public highways, pari-mutuel pools, the housing finance authority and state banking institutions. Testimony before the committee was that the exceptions were for regulations in highly technical areas governed by evolving engineering standards or changing scientific knowledge, or institutions which needed to be responsive to fast-changing financial markets. For these areas, the JLCAR process is too lengthy and burdensome and results in a lack of flexibility. Some of the entities which would be affected do, in fact, provide for rulemaking and public comment, but they do not go through the full JLCAR process. Although an amendment was offered that addressed some of the objections, by allowing some of the exemptions to remain, the majority believe that the bill is unnecessary. Vote 8-7.

Rep. Carol M. McGuire for the Minority of Executive Departments and Administration: This bill deletes a number of old exemptions from the JLCAR process. The agency rules involved will now expire, be reconsidered by the agency and get a public hearing and review by JLCAR at least every ten years. The amendment removes several financing agencies, whose rules are primarily technical details of the bonding process rather than how they interact with the public; these agencies are also separate public companies and the state is not responsible for their debt. In no case does this bill affect the content of any rules; it merely restores them to the normal approval process. Oversight of agency rules – which have the force and effect of law – is one of the inescapable duties of the legislature. DOT's driveway rules were a concern to some, but since DOT had developed these rules years ago, the minority is confident of JLCAR approval.

The question being adoption of the majority committee report of Inexpedient to Legislate.

On a division vote, 199 members having voted in the affirmative and 153 in the negative, the majority committee report was adopted.

**HB 325-FN**, relative to public employee suggestions for cost-saving measures. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dianne E. Schuett for the Majority of Executive Departments and Administration: This bill proposed changes to the suggestion and extraordinary service award program, creating a two-year test period for rewarding public employees with 10 percent of the savings realized from their cost-saving suggestions. While well intended, the majority of the committee believed that the bill left too many unanswered questions and created a process that was unnecessarily cumbersome and unworkable. The current law already provides monetary awards and recognitions which the majority of the committee believes are working well to encourage creativity and stimulate morale of our public employees. Vote 9-5.

Rep. Carol M. McGuire for the Minority of Executive Departments and Administration: This bill, based on a unanimous ED&A committee amendment from last year, extends the current employee suggestion program to allow awards of up to 10% of the amount saved in the first year. Common in private industry, these awards are an incentive for employees and teams of employees to use their experience and skill to develop innovative ways to be more efficient and effective. A certificate is nice, but cash is a real recognition of extra effort and inventiveness.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
 Rep. Byron spoke against.  
 Rep. Flanagan spoke against and yielded to questions.  
 Rep. Schuett spoke in favor.  
 Rep. Carol McGuire requested a roll call; sufficiently seconded.

**YEAS 179 NAYS 179****YEAS 179****BELKNAP**

Arsenault, Beth  
 Huot, David

Burchell, Richard  
 Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

**CARROLL**

Buco, Thomas  
 Ticehurst, Susan

Butler, Edward

Lavender, Tom

Nelson, Bill

**CHESHIRE**

Ames, Richard  
 Eaton, Daniel  
 Parkhurst, Henry  
 Weber, Lucy

Berch, Paul  
 Johnsen, Gladys  
 Phillips, Larry  
 Weed, Charles

Butynski, William  
 Lerandau, Alfred  
 Sad, Tara  
 Young, Harry

Chase, Cynthia  
 Mann, John  
 Tatro, Bruce

**COOS**

Coulombe, Gary  
 Theberge, Robert

Enman, Larry  
 Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
 Doolan, Ralph Jr  
 Lauer, Linda  
 Piper, Wendy  
 White, Andrew

Almy, Susan  
 Ford, Susan  
 Lovett, Sid  
 Smith, Suzanne

Benn, Bernard  
 Friedrich, Carol  
 Mulholland, Catherine  
 Sykes, George

Cooney, Mary  
 Harding, Laurie  
 Nordgren, Sharon  
 Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
 Chandley, Shannon  
 Gale, Sylvia  
 Grady, Brenda  
 Jack, Martin  
 Levasseur, Nickolas  
 McCarthy, Michael  
 Porter, Marjorie  
 Shattuck, Gilman  
 Spratt, Stephen  
 Vail, Suzanne  
 Woodbury, David

Beaulieu, Jane  
 Connor, Evelyn  
 Gidge, Kenneth  
 Hammond, Jill  
 Jeudy, Jean  
 Levesque, Melanie  
 Nelson, Mary  
 Ramsey, Peter  
 Shaw, Barbara  
 Sullivan, Daniel  
 Vaillancourt, Steve

Campbell, David  
 DiSilvestro, Linda  
 Goley, Jeffrey  
 Harriott-Gathright, Linda  
 Kelley, John  
 Long, Patrick  
 O'Brien, Michael Sr  
 Rokas, Ted  
 Smith, Timothy  
 Sullivan, Peter  
 Walsh, Robert Jr

Carroll, Douglas  
 Gage, Ruth  
 Gorman, Mary  
 Heden, Ruth  
 Leishman, Peter  
 MacKay, Mariellen  
 Palangas, Eric  
 Rosenwald, Cindy  
 Soucy, Timothy  
 Takesian, Charlene  
 Williams, Kermit

**MERRIMACK**

Bartlett, Christy  
 Davis, Frank  
 Gile, Mary  
 Kelly, Sally  
 Ratzki, Mario  
 Schamberg, Thomas  
 Wallner, Mary Jane

Bouchard, Candace  
 Frambach, Mary  
 Hirsch, Geoffrey  
 MacKay, James  
 Rice, Chip  
 Schuett, Dianne  
 Walz, Mary Beth

Burns, Scott  
 Frazer, June  
 Hunt, Jane  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Watrous, Rick

Carey, Lorrie  
 French, Barbara  
 Karrick, David Jr  
 Patten, Dick  
 Rogers, Katherine  
 Turcotte, Alan  
 Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Cahill, Michael
Cali-Pitts, Jacqueline	Copeland, Timothy	Cushing, Robert Jr	Elliott, Robert
Emerson-Brown, Rebecca	Helmstetter, Barbara	Khan, Aboul	Lovejoy, Patricia
Mann, Maureen	Moody, Marcia	Muns, Chris	Norelli, Terie
Pantelakos, Laura	Peckham, Michele	Scarlotto, Joe	Schlachman, Donna
Sherman, Thomas	Wazlaw, Brian	Whitemore, Lisa	

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burdwood, Greg	Burke, Rachel	Gardner, Janice	Ginsburg, Philip
Grassie, Anne	Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy
Hubbard, Pamela	Kaen, Naida	Malloy, Dennis	Miller, David
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Stevens, Audrey	Verschueren, James
Wall, Janet			

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Lefebvre, Benjamin	O'Hearne, Andrew	Schmidt, Andrew
Sweeney, Cynthia			

**NAYS 179****BELKNAP**

Comtois, Guy	Cormier, Jane	Fields, Dennis	Fink, Charles
Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen	Luther, Robert
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Worsman, Colette

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Morrow, Harry	Schmidt, Stephen	Umberger, Karen
White, Syndi	Wright, Donald		

**CHESHIRE**

Burridge, Delmar	Emerson, Susan	Hunt, John	Johnson, Jane
Ley, Douglas	Roberts, Kris	Robertson, Timothy	Shepardson, Marjorie

**COOS**

Hammon, Marcia	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Brown, Rebecca	Gionet, Edmond
Ladd, Rick Jr	Massimilla, Linda		

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Dobson, Jeremy
Flanagan, Jack	Gagne, Larry	Garcia, Michael	Gargasch, Carolyn
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Hopper, Gary	Infantine, William	Jasper, Shawn	Knowles, Mary Ann
Kurk, Neal	LeBrun, Donald	LeVasseur, Richard	Manley, Jonathan Sr
Marston, Dick	McNamara, Richard	Meaney, Richard	Murotake, David
Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine	O'Flaherty, Tim
Ober, Lynne	Ober, Russell III	Palmer, Stephen	Parison, James
Pellegrino, Tony	Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew
Rowe, Robert	Sanborn, Laurie	Sandblade, Emily	Schmidt, Janice

Souza, Kathleen  
Villeneuve, Moe

Straight, Philip  
Warden, Mark

Stroud, Kathleen  
Willette, Robert

Ulery, Jordan  
Winters, Joel

### MERRIMACK

Andrews, Christopher  
Hess, David  
Lockwood, Priscilla  
Smith, Todd

Carson, Clyde  
Hoell, J.R.  
McGuire, Carol  
Walsh, Thomas IV

Ebel, Karen  
Kidder, David  
McGuire, Dan

Henle, Paul  
Kotowski, Frank  
Reed, Dennis

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
Duarte, Joe  
Fesh, Robert  
Garcia, Marilinda  
Hagan, Joseph  
Hodgdon, Bruce  
Kolodziej, Walter  
McMahon, Charles  
Packard, Sherman  
Rice, Frederick  
Sedensky, John  
Tasker, Kyle  
Waterhouse, Kevin

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Dumaine, Dudley  
Flockhart, Eileen  
Gordon, Richard  
Harris, Jeffrey  
Hoelzel, Kathleen  
Lundgren, David  
Nigrello, Robert  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Tremblay, Stella  
Webb, James Sr

Baldasaro, Alfred  
Burtis, Elizabeth  
Danais, Romeo  
Emerick, J. Tracy  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Perkins, Lawrence  
Sapareto, Frank  
Sytek, John  
Tucker, Pamela  
Weyler, Kenneth

Belanger, Ronald  
Charron, Gene  
DeSimone, Debra  
Ferrante, Beverly  
Garcia, Bianca  
Griffin, Mary  
Heffron, Frank  
Kappler, Lawrence  
McKinney, Betsy  
Oigny, Jeffrey  
Priestley, Anne  
Schroadter, Adam  
Tamburello, Daniel  
Ward, Gerald

### STRAFFORD

Beaudoin, Steven  
Menear, H. Robert III

Gray, James  
Mullen, John Jr

Groen, Warren  
Parsons, Robbie

Jones, Laura

### SULLIVAN

Rollins, Skip

Smith, Steven

Tanner, Linda

### CLERK'S NOTE

The original vote was 178-179. Pursuant to House Rule 5, the Speaker voted "Yea" which created a tie vote. The majority committee report failed.

Rep. Flanagan moved the minority committee report of Ought to Pass.

On a division vote, 199 members having voted in the affirmative and 162 in the negative, the minority committee report was adopted and ordered to third reading.

**HB 296**, relative to assignment of circuit court judges as liaison judges. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Frank H. Heffron for the Majority of Judiciary: This bill would require the administrative judge for the circuit court to designate a judge for each circuit court location to serve as the liaison to the communities served by that location concerning issues related to the administration of justice. The committee agreed with the goal of having a justice acquainted with each local community, but it concluded that passage of the bill would interfere with the administration of the court by the judicial branch. Further, the bill is unnecessary because the courts are now doing what the bill directs. Vote 11-9. Rep. Michael J. Sylvia for the Minority of Judiciary: This bill would by statute, as opposed to court rule, have the administrative judge for the circuit court designate a judge to be liaison to the communities served concerning issues related to the administration of justice. The minority believes that this should be done by statute.

Majority committee report adopted.

**HB 388**, relative to the storage of firearms. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael J. Sylvia for the Majority of Judiciary: This bill would grant immunity in civil cases to a firearm owner in the event the stolen firearm is used in the commission of a subsequent crime.

This bill lacks a demonstrated need. Vote 12-6.

Rep. Lenette M. Peterson for the Minority of Judiciary: The minority of the committee agrees with the testimony stating that gun owners should not be victimized twice. This bill would protect the rights of law abiding gun owners. Just as you are protected if your vehicle were stolen and used in a crime, this bill would give the gun owner immunity if their gun/guns were stolen and used in a crime.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Peterson spoke against.

Rep. Berch spoke in favor.

Rep. Dumaine requested a roll call; sufficiently seconded.

## YEAS 167 NAYS 192

### YEAS 167

#### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

#### CARROLL

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

### COOS

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

### GRAFTON

Aguiar, James  
Ford, Susan  
Lovett, Sid  
Smith, Suzanne

Almy, Susan  
Friedrich, Carol  
Massimilla, Linda  
Sykes, George

Benn, Bernard  
Harding, Laurie  
Mulholland, Catherine  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon

### HILLSBOROUGH

Backus, Robert  
Chandlee, Shannon  
Gage, Ruth  
Grady, Brenda  
Jack, Martin  
Levasseur, Nickolas  
O'Brien, Michael Sr  
Rokas, Ted  
Spratt, Stephen  
Vail, Suzanne

Beaulieu, Jane  
Connor, Evelyn  
Gale, Sylvia  
Hammond, Jill  
Kelley, John  
Levesque, Melanie  
Palangas, Eric  
Rosenwald, Cindy  
Sullivan, Daniel  
Walsh, Robert Jr

Campbell, David  
Cote, David  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Long, Patrick  
Porter, Marjorie  
Schmidt, Janice  
Sullivan, Peter  
Williams, Kermit

Carroll, Douglas  
DiSilvestro, Linda  
Gorman, Mary  
Heden, Ruth  
Leishman, Peter  
MacKay, Mariellen  
Ramsey, Peter  
Shattuck, Gilman  
Takesian, Charlene  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bartlett, Christy  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Patten, Dick  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Jr	Emerson-Brown, Rebecca
Flockhart, Eileen	Heffron, Frank	Helmstetter, Barbara	Lovejoy, Patricia
Mann, Maureen	Moody, Marcia	Muns, Chris	Pantelakos, Laura
Schlachman, Donna	Sherman, Thomas	Ward, Gerald	Wazlaw, Brian

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela
Kaen, Naida	Malloy, Dennis	Menear, H. Robert III	Miller, David
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Stevens, Audrey	Verschueren, James
Wall, Janet			

**SULLIVAN**

Cloutier, John	Gottling, Suzanne	Lefebvre, Benjamin	O'Hearne, Andrew
Schmidt, Andrew			

**NAYS 192****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			

**CARROLL**

Ahlgren, Christopher	Buco, Thomas	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	Lavender, Tom	McConkey, Mark	Merrow, Harry
Nelson, Bill	Schmidt, Stephen	Umberger, Karen	White, Syndi
Wright, Donald			

**CHESHIRE**

Eaton, Daniel	Emerson, Susan	Hunt, John	Johnson, Jane
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**COOS**

Coulombe, Gary	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Brown, Rebecca	Doolan, Ralph Jr
Gionet, Edmond	Ladd, Rick Jr	Lauer, Linda	Piper, Wendy
White, Andrew			

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Dobson, Jeremy
Fianagan, Jack	Gagne, Larry	Garcia, Michael	Gargas, Carolyn
Gidge, Kenneth	Graham, John	Haefner, Robert	Hansen, Peter
Hikel, John	Hopper, Gary	Infantine, William	Jeudy, Jean
Kurk, Neal	Lambert, George	LeBrun, Donald	LeVasseur, Richard
Manley, Jonathan Sr	Marston, Dick	McCarthy, Michael	McNamara, Richard
Meaney, Richard	Murotake, David	Murphy, Keith	Murphy, Kelleigh
Nelson, Mary	Notter, Jeanine	O'Brien, William	O'Flaherty, Tim
Ober, Lynne	Ober, Russell III	Palmer, Stephen	Parison, James
Pellegrino, Tony	Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew



Rowe, Robert  
Smith, Timothy  
Stroud, Kathleen  
Warden, Mark

Sanborn, Laurie  
Soucy, Timothy  
Ulery, Jordan  
Willette, Robert

Sandblade, Emily  
Souza, Kathleen  
Vaillancourt, Steve  
Winters, Joel

Shaw, Barbara  
Straight, Philip  
Villeneuve, Moe

### MERRIMACK

Andrews, Christopher  
Hoell, J.R.  
McGuire, Carol  
Walsh, Thomas IV

Burns, Scott  
Kidder, David  
McGuire, Dan

Carey, Lorrie  
Kotowski, Frank  
Reed, Dennis

Hess, David  
Lockwood, Priscilla  
Smith, Todd

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
Sedensky, John  
Tasker, Kyle  
Webb, James Sr

Allen, Mary  
Birdsell, Regina  
Copeland, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Hayes, Jack  
Kappler, Lawrence  
Major, Norman  
Oigny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
St.James, Kevin  
Tremblay, Stella  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Danaïs, Romeo  
Elliott, Robert  
Friel, William  
Griffin, Mary  
Hodgdon, Bruce  
Khan, Aboul  
McKinney, Betsy  
Packard, Sherman  
Priestley, Anne  
Scarlottio, Joe  
Sytek, John  
Tucker, Pamela  
Whittemore, Lisa

Belanger, Ronald  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles  
Peckham, Michele  
Rice, Frederick  
Schroadter, Adam  
Tamburello, Daniel  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren

### SULLIVAN

Gagnon, Raymond  
Smith, Steven

Grenier, James  
Sweeney, Cynthia

Irwin, Virginia  
Tanner, Linda

Rollins, Skip

and the majority committee report failed.

Rep. Chandra moved the minority committee report of Ought to Pass.

On a division vote, 211 members having voted in the affirmative and 151 in the negative, the minority committee report was adopted and ordered to third reading.

The House recessed at 12:30 p.m.

### RECESS

The House reconvened at 1:35 p.m.

### (Speaker Norelli in the Chair)

### REGULAR CALENDAR (CONT'D)

**HB 403**, establishing a commission to study death with dignity for persons suffering from a terminal condition. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Rick H. Watrous for the Majority of Judiciary: In its existing medical directive law, RSA 137-J, the state of New Hampshire recognizes that "a person has a right, founded in the autonomy and sanctity of the person, to control the decisions relating to the rendering of his or her own medical care." As New Hampshire is rapidly aging and modern medicine becomes both more expensive and intrusive, end of life care should be periodically examined by the legislature so that our citizens maintain control over what medicine and procedures they wish to receive. This bill, as amended, would establish a legislative committee to study end of life decisions. The bill originally sought to establish a commission, but the committee strongly felt that keeping the responsibility of the study within the legislature would

assure a more efficient process in which interested parties of varied perspectives would be welcomed to share information. As amended, the bill mandates that the legislative study committee will report its findings and recommendations by November 1, 2013. Vote 10-7.

Rep. Robert H. Rowe for the Minority of Judiciary: This bill came before the committee to study death with dignity, which the minority believes is euphemism for state sponsored suicide. The title for the bill has been changed to end of life decisions. The bill remains a study bill but offers no direction. The minority does not believe the committee will study subjects such as wills, trusts, estate planning, estate taxes but rather only the original purpose – euthanasia. If a full study of issues involved at end of life is to be undertaken, additional time and experts are necessary unless the parties chosen for the committee will study only the original purpose, euthanasia.

### Majority Amendment (0211h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study end of life decisions.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study end of life decisions.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Five members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study end of life decisions.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

6 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill establishes a committee to study end of life decisions.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hagan spoke against.

Rep. Watrous spoke in favor and yielded to questions.

Reps. Lambert and Marjorie Smith spoke in favor.

On a division vote, 212 members having voted in the affirmative and 140 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 482-FN**, regarding infestation of bed bugs in rental housing. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary S. Hopper for the Majority of Judiciary: This proposed legislation has come forward as the product of the New Hampshire bed bug action committee which has been working diligently for nearly three years to address the multiple challenges faced by landlords, tenants, public health professionals, housing advocates and others upon the discovery of infestations of bed bugs in rental properties. One significant outbreak in Manchester took place in a multi-unit dwelling more than three years ago and left a number of families quite destitute and emotionally devastated when the outbreak occurred and continued recurrence of these pests illustrated just how difficult bed bugs are to eradicate. The legislation provides remedies that have been agreed upon by a wide cross-section of landlords, tenants and others and provides a framework for a comprehensive response to the amelioration of these troublesome insects. Not acting on this bill may have a profound negative effect on tourism if not dealt with promptly. Vote 17-2.

Rep. Lawrence M. Kappler for the Minority of Judiciary: The minority believes this is a “local housing law” and “minimum housing standards” problem that needs to be addressed at the local level, versus creating more government. This investigation work would just increase tenant/landlord tensions. Majority committee report adopted and ordered to third reading.

**HB 590**, relative to the unauthorized practice of law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David Woodbury for the Majority of Judiciary: This bill seeks to permit persons of good character to represent parties no more than 10 times in a calendar year. The committee had difficulty understanding how to define “represent.” Did it mean to represent each of ten parties any number of times, or only ten appearances even if they were all for one party? The committee also felt that the bill might inadvertently put citizens at risk of being represented by untrained, incompetent, and unregulated individuals. Vote 13-5.

Rep. Michael J. Sylvia for the Minority of Judiciary: This bill attempts to clarify language related to practicing as an attorney whereas courts vary in their interpretation of “No person shall be permitted commonly to practice.” This bill would allow people of good character to represent others no more than 10 times per year.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Souza, Lambert and Infantine spoke against and yielded to questions.

Reps. Woodbury and Marjorie Smith spoke in favor and yielded to questions.

Rep. Hoell requested a roll call; sufficiently seconded.

Rep. Groen moved Recommit and spoke in favor.

Rep. Marjorie Smith spoke against and yielded to questions.

Rep. Rowe spoke in favor.

Rep. Nickolas Levasseur requested a roll call; sufficiently seconded.

**YEAS 178 NAYS 182**

**YEAS 178**

**BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Flanders, Donald	Gulick, Ruth	Luther, Robert	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Worsman, Colette	

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
Lavender, Tom	McConkey, Mark	Merrow, Harry	Nelson, Bill
Schmidt, Stephen	Umberger, Karen	White, Syndi	Wright, Donald

**CHESHIRE**

Hunt, John	Johnson, Jane	Roberts, Kris	Robertson, Timothy
Shepardson, Marjorie			

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne
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**GRAFTON**

Brown, Rebecca	Doolan, Ralph Jr	Ladd, Rick Jr	Massimilla, Linda
Piper, Wendy			

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	DiSilvestro, Linda
Dobson, Jeremy	Flanagan, Jack	Gagne, Larry	Garcia, Michael
Gargas, Carolyn	Graham, John	Haefner, Robert	Hansen, Peter
Hikel, John	Hopper, Gary	Infantine, William	Jack, Martin

Jasper, Shawn  
 Levasseur, Nickolas  
 Meaney, Richard  
 Notter, Jeanine  
 Ober, Russell III  
 Pellegrino, Tony  
 Renzullo, Andrew  
 Sandblade, Emily  
 Sweeney, Shawn  
 Warden, Mark

Kurk, Neal  
 LeVasseur, Richard  
 Murotake, David  
 O'Brien, William  
 Palangas, Eric  
 Peterson, Lenette  
 Rokas, Ted  
 Souza, Kathleen  
 Takesian, Charlene  
 Willette, Robert

Lambert, George  
 Marston, Dick  
 Murphy, Keith  
 O'Flaherty, Tim  
 Palmer, Stephen  
 Pratt, Calvin  
 Rowe, Robert  
 Straight, Philip  
 Ulery, Jordan  
 Williams, Kermit

LeBrun, Donald  
 McCarthy, Michael  
 Murphy, Kelleigh  
 Ober, Lynne  
 Parison, James  
 Ramsey, Peter  
 Sanborn, Laurie  
 Stroud, Kathleen  
 Villeneuve, Moe  
 Winters, Joel

### MERRIMACK

Burns, Scott  
 Lockwood, Priscilla  
 Walsh, Thomas IV

Hoell, J.R.  
 McGuire, Carol

Kidder, David  
 McGuire, Dan

Kotowski, Frank  
 Smith, Todd

### ROCKINGHAM

Abrami, Patrick  
 Birdsell, Regina  
 Chirichiello, Brian  
 Devine, James  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Hagan, Joseph  
 Itse, Daniel  
 McKinney, Betsy  
 Oligny, Jeffrey  
 Perkins, Lawrence  
 Sapareto, Frank  
 St.James, Kevin  
 Tucker, Pamela

Allen, Mary  
 Bishop, Franklin  
 Comerford, Timothy  
 Duarte, Joe  
 Fesh, Robert  
 Gordon, Richard  
 Hayes, Jack  
 Kappler, Lawrence  
 McMahon, Charles  
 Packard, Sherman  
 Priestley, Anne  
 Schroadter, Adam  
 Sytek, John  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Borden, David  
 Danais, Romeo  
 Dumaine, Dudley  
 Friel, William  
 Grace, Curtis  
 Hodgdon, Bruce  
 Khan, Aboul  
 Nigrello, Robert  
 Peckham, Michele  
 Rice, Frederick  
 Sedensky, John  
 Tasker, Kyle  
 Webb, James Sr

Bick, Patrick  
 Charron, Gene  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 O'Connor, John  
 Perkins, Amy  
 Sanders, Elisabeth  
 Sherman, Thomas  
 Tremblay, Stella  
 Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
 Groen, Warren  
 Parsons, Robbie

Bickford, David  
 Grossman, Kenneth  
 Stevens, Audrey

Bixby, Peter  
 Jones, Laura

Gray, James  
 Mullen, John Jr

### SULLIVAN

Gagnon, Raymond

Smith, Steven

### NAYS 182

### BELKNAP

Arsenault, Beth  
 Huot, David

DiMartino, Lisa  
 Raymond, Ian

Fink, Charles

Holmes, Stephen

### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
 Chase, Cynthia  
 Lerandeau, Alfred  
 Phillips, Larry  
 Weed, Charles

Berch, Paul  
 Eaton, Daniel  
 Ley, Douglas  
 Sad, Tara  
 Young, Harry

Burridge, Delmar  
 Emerson, Susan  
 Mann, John  
 Tatro, Bruce

Butynski, William  
 Johnsen, Gladys  
 Parkhurst, Henry  
 Weber, Lucy

### COOS

Coulombe, Gary  
 Moynihan, Wayne

Enman, Larry  
 Theberge, Robert

Hammon, Marcia

Hatch, William

**GRAFTON**

Aguiar, James	Almy, Susan	Bailey, Brad	Benn, Bernard
Bradley, Lester	Cooney, Mary	Ford, Susan	Friedrich, Carol
Gionet, Edmond	Harding, Laurie	Higgins, Patricia	Lauer, Linda
Lovett, Sid	Mulholland, Catherine	Nordgren, Sharon	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Campbell, David	Carroll, Douglas
Chandlee, Shannon	Connor, Evelyn	Cote, David	Gage, Ruth
Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Hammond, Jill	Harriott-Gathright, Linda	Heden, Ruth
Jeudy, Jean	Kelley, John	Knowles, Mary Ann	Leishman, Peter
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr
McNamara, Richard	Nelson, Mary	O'Brien, Michael Sr	Porter, Marjorie
Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel
Vail, Suzanne	Vaillancourt, Steve	Walsh, Robert Jr	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Carey, Lorrie	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	Frazer, June	French, Barbara	Gile, Mary
Henle, Paul	Hess, David	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	MacKay, James	Myler, Mel
Patten, Dick	Ratzki, Mario	Reed, Dennis	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Walz, Mary Beth
Watrous, Rick	Webb, Leigh		

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Briden, Steven	Burtis, Elizabeth	Cahill, Michael
Copeland, Timothy	Cushing, Robert Jr	Elliott, Robert	Emerson-Brown, Rebecca
Flockhart, Eileen	Harris, Jeffrey	Heffron, Frank	Helmstetter, Barbara
Lovejoy, Patricia	Mann, Maureen	Moody, Marcia	Muns, Chris
Pantelakos, Laura	Schlachman, Donna	Tamburello, Daniel	Ward, Gerald
Wazlaw, Brian	Whittemore, Lisa		

**STRAFFORD**

Baber, William	Berube, Roger	Burdwood, Greg	Burke, Rachel
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Ketel, Stephen
Malloy, Dennis	Meneer, H. Robert III	Miller, David	Pelletier, Marsha
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Spang, Judith	Verschueren, James	Wall, Janet

**SULLIVAN**

Cloutier, John	Gottling, Suzanne	Grenier, James	Irwin, Virginia
Lefebvre, Benjamin	O'Hearne, Andrew	Rollins, Skip	Schmidt, Andrew
Sweeney, Cynthia	Tanner, Linda		

and the motion failed.

Rep. Peter Sullivan declared a conflict of interest and did not participate.

**LAID ON THE TABLE**

Rep. Tamburello moved that **HB 590**, relative to the unauthorized practice of law, be laid on the table. On a division vote, 277 members having voted in the affirmative and 83 in the negative, the motion was adopted.

Rep. Peter Sullivan declared a conflict of interest and did not participate.

**REGULAR CALENDAR (CONT'D)**

**HB 605**, requiring the supreme court to adopt rules of evidence for the judicial branch family division. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert H. Rowe for Judiciary: The thrust of this bill is for the establishment of rules of evidence for the family court that are uniformly followed. The purpose of the sponsors is well-intended. The family division of the circuit court hears approximately 50,000 cases a year; it is the most active court in New Hampshire. Over the past decades the advocate mix in the family court has changed dramatically; it is not presently all lawyers in court. Now, 70% of the parties are pro-se with few having knowledge of the rules of evidence and some having a limited education or understanding of the English language. As such, developing a firm set of rules of evidence is an impossible task. If rules are too lenient and flexible, it may favor the citizen advocate but result in a free-for-all trial. If rules are too firm, it favors the lawyers but not the lay advocates. It is a difficult, if not impossible mix. With the above being true, the clear language in the bill is a demand that the supreme court develop rules for the family branch that are to be uniformly followed. The majority of the committee is in sympathy with the intent of the sponsors, but believes that the legislative branch can not dictate to another branch in accordance with Article 17, Part 1 of the New Hampshire Constitution. Vote 17-2. Committee report adopted.

**HB 611**, clarifying the equity jurisdiction of the judicial branch family division. **INEXPEDIENT TO LEGISLATE.**

Rep. Marjorie K. Smith for Judiciary: This bill sought to clarify the equity jurisdiction of the judicial branch family division. The provision the bill proposed to amend stems from the superior court statute with its roots in NH law dating from the 1800s. The language was in the original family division pilot project, and continued, unchanged in the family division statute. At one point in the bill the sponsor removed the phrase, "notwithstanding any law to the contrary," but at another point added the phrase, "and where no other special provision has been made by law." The committee concluded that these changes cancelled each other out and that the net result was to confuse rather than clarify the equity jurisdiction of the judicial branch family division. Vote 16-3. Committee report adopted.

**HB 514**, permitting members of the general court to receive ski passes for Cannon Mountain ski area. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Steven J. Briden for the Majority of Legislative Administration: The majority of the committee thought that the legislative perk granted by this bill was too large. A one day lift ticket at Cannon Mountain is \$70.00 for an adult, and this bill would allow for unlimited free access. If you were to use this a half dozen times, you would be receiving perks worth twice as much as our biennial salary. This is much more substantial than the other perks that we receive as legislators. This could also send a poor message to our constituents that we are more worried about personal privilege than we are about making laws to help the people of New Hampshire. Vote 5-4.

Rep. George A. Lambert for the Minority of Legislative Administration: Members of the legislature have open access to state parks, which increase awareness and promotion of these locations. The question is do ski passes for legislatures constitute an ethical challenge. When legislators go to Cannon Mountain, there is virtually no incremental cost but it creates additional analog revenue for the Cannon facility. This has been a long standing tradition of legislature that has encouraged members to experience this part of New Hampshire culture.

Majority committee report adopted.

**HB 622**, establishing a committee to study state house security. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Curtis W. Grace for the Majority of Legislative Administration: The issue of state house security in the house chamber, anteroom and gallery has already been addressed in house rules. Security in the rest of the state house complex is under the jurisdiction of the joint facilities committee. Therefore the committee suggests that security in the state house complex be addressed by the joint facilities committee. Vote 8-1.

Rep. George A. Lambert for the Minority of Legislative Administration: The minority believes that the safety of the members has been affected by present policy under rules. A further discussion of some security officers is in order.

Majority committee report adopted.

**HB 204-FN-L**, relative to the removal of social security and other numbers from registry of deeds documents available on the Internet. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David J. Danielson for the Majority of Municipal and County Government: Current statute allows county registers of deeds to post documents on the internet, and all but one county does so. Document preparers are prohibited from including social security numbers and financial information on documents to be posted. However, some older documents may include this sensitive information. This bill requires the registers of deeds to remove social security numbers, armed forces service numbers, credit card numbers, and deposit account numbers from documents made available on the internet. Registers currently redact such information if they discover it, or if requested to do so by the individual. However, they simply do not have the manpower to go through all posted documents seeking and redacting. In addition, each redaction costs the county \$50, as per contract with the software providers. Members of the committee are sensitive to the privacy needs of citizens, but felt this bill did not solve the problem, and is an unfunded mandate upon the counties. Vote 11-6.

Rep. Syndi G. White for the Minority of Municipal and County Government: The overriding issue in the minority's position is the citizens' right to privacy and the obligation of the state to refrain from knowingly and willingly violating these rights. Currently, county registries of deeds have the choice to put documents online. Some of these include social security numbers, credit card numbers and deposit account info. The general public is unaware their private information is online, easily accessible to those phishing for such information in order to commit identity theft. This bill would reduce the potential of identity theft and reduce the state's liability for knowingly putting citizens at risk. Since counties charge a fee for online searches, the charges incurred by redacting the information could come out of these fees.

Rep. Porter moved Recommit and spoke in favor.

Adopted.

Recommitted to the Committee on Municipal and County Government.

**HB 298**, prohibiting the publication of the names of persons granted property tax exemptions, credits, or deferrals. **INEXPEDIENT TO LEGISLATE.**

Rep. Kris E. Roberts for Municipal and County Government: This bill would prohibit the publication of the names of persons granted property tax credit or deferrals. The committee believes that it is important that when it comes to taxpayer monies that municipalities be as open as possible. NH veteran homeowners are eligible to receive a tax credit up to \$500 and veterans rated totally and permanently disabled are eligible for up to a \$2000 tax credit. Such tax credits are paid by local property owners. As such, it is an expense. Tax deferrals have an affect on the towns over all tax rate. Again the committee believes any factor affecting the tax rate has to be readily available to the public. Additionally HB 298 states that whoever fails to comply shall be guilty of a violation, a very serious concern for the committee. Vote 12-2.

Committee report adopted.

**HB 347**, authorizing cottage housing development as an innovative land use control. **OUGHT TO PASS.**

Rep. David J. Danielson for Municipal and County Government: This bill provides cities and larger towns the opportunity to consider intensive development in or around the town center by authorizing "cottage housing developments" as an option for local land use boards. The bill sets the parameters for this type of development. "Cottage dwellings" are typically between 800-1200 square feet, and are free-standing. This type of development provides an opportunity for smaller dwellings for those just starting out or those seeking to down-size and who want to live in a detached dwelling. Vote 13-2.

Committee report adopted and ordered to third reading.

**HB 436**, relative to governance of town libraries. **INEXPEDIENT TO LEGISLATE.**

Rep. Dorothea D. Hooper for Municipal and County Government: This bill permits a town to choose, at its regular meeting, whether the town library shall be governed by a board of trustees or by the selectmen. We heard extensive testimony in opposition to this change, from both library trustees and selectmen. Trustees' duties are extensive, and there is a great body of law to learn. Selectmen worried they already had too much to do. The committee felt that allowing the selectmen to run the libraries may serve to politicize libraries. Library trustees are elected by the public vote and should remain independent. If this bill were to pass, selectmen could begin to determine what could be placed in libraries. Vote 15-0.

Committee report adopted.

**SB 39-FN-A**, relative to funding of capital projects of the division of ports and harbors, Pease development authority. **OUGHT TO PASS.**

Rep. Gene G. Chandler for Public Works and Highways: This bill reauthorizes already appropriated bonding authority for the purpose of dredging Hampton Harbor and for reconstructing a severely deteriorated metal bulkhead at Hampton Harbor. The waterway at Hampton Harbor has been maintained at state expense. Commercial traffic has increased to a point where the U.S. Army Corps of Engineers has agreed to take over maintenance of the waterway provided that the State dredges the harbor to a certain depth, and the Corps of Engineers will then dredge the harbor deeper. The committee heard testimony that the metal bulkhead is in very poor condition and, if not replaced, portions of the harbor will be closed. The work is being done at the same time to allow use of dredged material in construction of the bulkhead. The committee also felt this project is essential for jobs and to protect the local fishing economy. The bill is being taken up out of the normal capital appropriation cycle so that work can be completed before it impacts waterway traffic in the summer months. The bill decreases future general fund expenditures because of the transfer of maintenance responsibilities to the Corps of Engineers. The bonded indebtedness impact is minimal because the bill reuses already authorized, but unissued capital authority. While the committee did not want to hold up this important legislation, members expressed concern over the current fee structure charged by the Pease Development Authority for dock spaces and moorings. The committee plans to investigate this over the next several months to ascertain if the State of New Hampshire is getting its fair share. Vote 19-0.

Rep. Chandler spoke in favor.

Committee report adopted and ordered to third reading.

**HB 318-FN**, relative to collection of the education property tax and establishing a program to rebate certain excess property tax payments of eligible taxpayers. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Richard Ames for the Majority of Ways and Means: This bill has appeared before the legislature every term since 2001. The primary intent is to move the collection of the statewide education property tax to the state level, in the hope that so-called donor towns would no longer be identified as such. The secondary purpose is to take the interest now earned by the towns on the money collected and construct an administratively complex low-income property tax subsidy that would better help very low-income people. This interest is likely to remain virtually nil for some years to come. The change to state collection creates a number of expensive administrative issues at state and local level that have not been solved despite six terms of study committees. Vote 9-8.

Rep. Frank V. Sapareto for the Minority of Ways and Means: Short of a constitutional amendment, this bill is the only way to target education aid to the communities and towns that are in the greatest need. It allows the state to collect the state property tax and distribute aid constitutionally without creating disparate tax rates. The bill also provides relief to taxpayers whose homes are lost to overly high property tax burdens. This bill has been vetted and polished for many years, and its main opposition has been the inability of the DRA to upgrade its systems. The minority feels there is a greater good in eliminating the perception of donor/receiver towns. The minority further believes that distributing monies to the communities that need it most is imperative to providing good education policy in our state.

### MOTION TO LAY ON THE TABLE

Rep. Sapareto moved that **HB 318-FN**, relative to collection of the education property tax and establishing a program to rebate certain excess property tax payments of eligible taxpayers, be laid on the table.

Rep. Kelleigh Murphy requested a roll call; not sufficiently seconded.

On a division vote, 158 members having voted in the affirmative and 184 in the negative, the motion failed.

The question now being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, 215 members having voted in the affirmative and 129 in the negative, the majority committee report was adopted.

(Rep. Kaen in the Chair)

**HB 335-FN-A**, relative to the tobacco tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**



Rep. John D. Kelley for the Majority of Ways and Means: The bill attempts to maintain policy established last term of reducing the tobacco tax in order to increase revenues by repealing the sunset to occur on 8/1/13. The policy has failed the test set by the senate, and the state is on track to lose \$30.5M relative to FY11. Vote 10-7.

Rep. Patrick F. Abrami for the Minority of Ways and Means: The minority feels that the contingent tax rate increase for the tobacco tax on cigarettes and other tobacco products based on reporting of tobacco tax revenues be repealed. The minority feels more time is required for tobacco sales to be recovered which were lost in our border town war when the rate per pack was increased to \$1.78. The reduction to \$1.68 per pack was designed to re-stimulate border sales and thus increase stamp sales; and therefore, revenue to the state. Increasing the tax back up to \$1.78 will only further reduce border sales which will result in harm to many merchants.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Baldasaro requested a roll call; sufficiently seconded.

## YEAS 207 NAYS 135

### YEAS 207 BELKNAP

Arsenault, Beth	DiMartino, Lisa	Gulick, Ruth	Huot, David
Raymond, Ian			

### CARROLL

Buco, Thomas	Butler, Edward	Crawford, Karel	Lavender, Tom
McConkey, Mark	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
White, Syndi			

### CHESHIRE

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Lerandeau, Alfred	Ley, Douglas	Mann, John	Parkhurst, Henry
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	Weed, Charles
Young, Harry			

### COOS

Coulombe, Gary	Enman, Larry	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert	Thomas, Yvonne	

### GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Doolan, Ralph Jr	Ford, Susan	Friedrich, Carol
Harding, Laurie	Higgins, Patricia	Lauer, Linda	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Piper, Wendy
Smith, Suzanne	Sykes, George	White, Andrew	

### HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Belanger, James	Campbell, David
Carroll, Douglas	Chandley, Shannon	Connor, Evelyn	Cote, David
Danielson, David	DiSilvestro, Linda	Dobson, Jeremy	Gage, Ruth
Gagne, Larry	Gale, Sylvia	Gargas, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Grady, Brenda	Graham, John
Hammond, Jill	Harriott-Gathright, Linda	Heden, Ruth	Infantine, William
Jack, Martin	Jasper, Shawn	Judy, Jean	Knowles, Mary Ann
Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie	Long, Patrick
MacKay, Mariellen	Manley, Jonathan Sr	Marston, Dick	McNamara, Richard
Nelson, Mary	O'Brien, Michael Sr	O'Flaherty, Tim	Ramsey, Peter
Rosenwald, Cindy	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy

Soucy, Timothy  
Walsh, Robert Jr

Spratt, Stephen  
Williams, Kermit

Sullivan, Peter  
Winters, Joel

Vail, Suzanne  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Lockwood, Priscilla  
Ratzki, Mario  
Rogers, Katherine  
Turcotte, Alan  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
MacKay, James  
Reed, Dennis  
Schamberg, Thomas  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Kotowski, Frank  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Flockhart, Eileen  
Khan, Aboul  
Muns, Chris  
Schlachman, Donna

Borden, David  
Copeland, Timothy  
Hayes, Jack  
Lovejoy, Patricia  
Nigrello, Robert  
Sherman, Thomas

Briden, Steven  
Cushing, Robert Jr  
Heffron, Frank  
Mann, Maureen  
Pantelakos, Laura  
Wazlaw, Brian

Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Moody, Marcia  
Peckham, Michele

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith

Berube, Roger  
Gardner, Janice  
Grossman, Kenneth  
Menear, H. Robert III  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Miller, David  
Schmidt, Peter  
Verschueren, James

Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Pelletier, Marsha  
Smith, Marjorie  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

### NAYS 135

### BELKNAP

Burchell, Richard  
Fink, Charles  
Tilton, Franklin

Comtois, Guy  
Flanders, Donald  
Vadney, Herbert

Cormier, Jane  
Holmes, Stephen  
Worsman, Colette

Fields, Dennis  
Sylvia, Michael

### CARROLL

Ahlgren, Christopher  
Wright, Donald

Chandler, Gene

Merrow, Harry

Nelson, Bill

### CHESHIRE

Hunt, John

Johnson, Jane

### COOS

Hammon, Marcia

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad

Bradley, Lester

Gionet, Edmond

Ladd, Rick Jr

### HILLSBOROUGH

Barry, Richard  
Cebrowski, John

Boehm, Ralph  
Coffey, James

Burt, John  
Culbert, Patrick

Byron, Frank  
Daniels, Gary

Flanagan, Jack  
Hopper, Gary  
LeVasseur, Richard  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Rokas, Ted  
Souza, Kathleen  
Sweeney, Shawn  
Villeneuve, Moe

Garcia, Michael  
Kurk, Neal  
McCarthy, Michael  
Murphy, Kelleigh  
Palangas, Eric  
Peterson, Lenette  
Rowe, Robert  
Straight, Philip  
Takesian, Charlene  
Warden, Mark

Haefner, Robert  
Lambert, George  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Sanborn, Laurie  
Stroud, Kathleen  
Ulery, Jordan  
Willette, Robert

Hansen, Peter  
LeBrun, Donald  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Sandblade, Emily  
Sullivan, Daniel  
Vaillancourt, Steve

### MERRIMACK

Hess, David  
Smith, Todd

Hoell, J.R.  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Danaïs, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hoelzel, Kathleen  
McKinney, Betsy  
Packard, Sherman  
Rice, Frederick  
Sedensky, John  
Tremblay, Stella  
Weyler, Kenneth

Allen, Mary  
Charron, Gene  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Griffin, Mary  
Itse, Daniel  
McMahon, Charles  
Perkins, Amy  
Sanders, Elisabeth  
Sytek, John  
Tucker, Pamela  
Whittemore, Lisa

Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Kappler, Lawrence  
O'Connor, John  
Perkins, Lawrence  
Sapareto, Frank  
Tamburello, Daniel  
Waterhouse, Kevin

Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Kolodziej, Walter  
Oigny, Jeffrey  
Priestley, Anne  
Schroader, Adam  
Tasker, Kyle  
Webb, James Sr

### STRAFFORD

Beaudoin, Steven  
Mullen, John Jr

Bickford, David  
Parsons, Robbie

Jones, Laura

Ketel, Stephen

### SULLIVAN

Smith, Steven

and the majority committee report was adopted.

Reps. Russell Ober and Groen did not vote and notified the Clerk that they wished to be recorded against.

Rep. Reed voted Yea and intended to vote Nay.

**HB 354-FN-A**, reducing the rate of the business enterprise tax over a 5-year period and repealing the tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. David B. Karrick for the Majority of Ways and Means: Repeal or even phased reduction of the business enterprise tax would create a hard to fill revenue hole of between 75 million and 100 million dollars per year. The range in reduction of revenues is due to the difficulty under past data collection methods to calculate how much business profits tax former business enterprise tax payers would have to pay instead. The reduction in revenues would have a very serious effect on needed state services. Originally, the BET was created to resolve a constitutional complaint by large businesses that they were the only ones paying business taxes. The BET was also created to smooth the problem of the extreme volatility in the BPT alone. The majority believes some reduction in the BET could be in order relative to the BPT if only we had adequate revenues to fund necessary government services but repeal should only occur as part of total tax reform. Vote 11-6.

Rep. Laurie J. Sanborn for the Minority of Ways and Means: The minority believes that reducing the rate of the business enterprise tax over time would substantially help employers in our state who must pay the tax on payroll and interest expenses, even if they are not profitable, and would send a clear message that we want them to succeed, grow and hire in New Hampshire.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
 Rep. Rideout spoke against and yielded to questions.  
 Rep. Carol McGuire spoke against.  
 Rep. Lovejoy spoke in favor and yielded to questions.  
 Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 192 NAYS 161****YEAS 192****BELKNAP**

Arsenault, Beth  
 Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
 White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
 Chase, Cynthia  
 Johnsen, Gladys  
 Parkhurst, Henry  
 Sad, Tara  
 Weed, Charles

Berch, Paul  
 Eaton, Daniel  
 Lerandeau, Alfred  
 Phillips, Larry  
 Shepardson, Marjorie  
 Young, Harry

Burridge, Delmar  
 Emerson, Susan  
 Ley, Douglas  
 Roberts, Kris  
 Tatro, Bruce

Butynski, William  
 Hunt, John  
 Mann, John  
 Robertson, Timothy  
 Weber, Lucy

**COOS**

Coulombe, Gary  
 Moynihan, Wayne

Enman, Larry  
 Theberge, Robert

Hammon, Marcia  
 Thomas, Yvonne

Hatch, William

**GRAFTON**

Aguiar, James  
 Cooney, Mary  
 Higgins, Patricia  
 Mulholland, Catherine  
 Sykes, George

Almy, Susan  
 Ford, Susan  
 Lauer, Linda  
 Nordgren, Sharon  
 Townsend, Charles

Benn, Bernard  
 Friedrich, Carol  
 Lovett, Sid  
 Piper, Wendy  
 White, Andrew

Brown, Rebecca  
 Harding, Laurie  
 Massimilla, Linda  
 Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
 Connor, Evelyn  
 Gage, Ruth  
 Goley, Jeffrey  
 Harriott-Gathright, Linda  
 Kelley, John  
 Levesque, Melanie  
 McNamara, Richard  
 Porter, Marjorie  
 Shattuck, Gilman  
 Sullivan, Peter  
 Willette, Robert

Beaulieu, Jane  
 Cote, David  
 Gale, Sylvia  
 Gorman, Mary  
 Heden, Ruth  
 Knowles, Mary Ann  
 Long, Patrick  
 Nelson, Mary  
 Ramsey, Peter  
 Smith, Timothy  
 Vail, Suzanne  
 Williams, Kermit

Campbell, David  
 DiSilvestro, Linda  
 Gargas, Carolyn  
 Grady, Brenda  
 Jack, Martin  
 Leishman, Peter  
 MacKay, Mariellen  
 O'Brien, Michael Sr  
 Rosenwald, Cindy  
 Soucy, Timothy  
 Vaillancourt, Steve  
 Woodbury, David

Chandley, Shannon  
 Dobson, Jeremy  
 Gidge, Kenneth  
 Hammond, Jill  
 Jeudy, Jean  
 Levasseur, Nickolas  
 Manley, Jonathan Sr  
 Palangas, Eric  
 Schmidt, Janice  
 Spratt, Stephen  
 Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta  
 Burns, Scott  
 Frambach, Mary  
 Henle, Paul  
 Kelly, Sally  
 Ratzki, Mario

Andrews, Christopher  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Lockwood, Priscilla  
 Rice, Chip

Bartlett, Christy  
 Davis, Frank  
 French, Barbara  
 Hunt, Jane  
 MacKay, James  
 Richardson, Gary

Bouchard, Candace  
 Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 Myler, Mel  
 Rogers, Katherine

Schamberg, Thomas  
Wallner, Mary Jane

Schuett, Dianne  
Walz, Mary Beth

Shurtleff, Stephen  
Watrous, Rick

Turcotte, Alan  
Webb, Leigh

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Flockhart, Eileen  
Mann, Maureen  
Pantelakos, Laura  
Wazlaw, Brian

Bishop, Franklin  
Cahill, Michael  
Heffron, Frank  
Moody, Marcia  
Schlachman, Donna  
Whittemore, Lisa

Borden, David  
Cushing, Robert Jr  
Helmstetter, Barbara  
Muns, Chris  
Sherman, Thomas

Briden, Steven  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Norelli, Terie  
Ward, Gerald

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Menear, H. Robert III  
Rogers, Rose Marie  
Spang, Judith

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Miller, David  
Rollo, Deanna  
Verschueren, James

Burdwood, Greg  
Grassie, Anne  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

### NAYS 161

### BELKNAP

Burchell, Richard  
Fink, Charles  
Tilton, Franklin

Comtois, Guy  
Flanders, Donald  
Vadney, Herbert

Cormier, Jane  
Holmes, Stephen  
Worsman, Colette

Fields, Dennis  
Sylvia, Michael

### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Johnson, Jane

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hikel, John  
Kurk, Neal  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Rokas, Ted

Belanger, James  
Carroll, Douglas  
Daniels, Gary  
Garcia, Michael  
Hopper, Gary  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Rowe, Robert

Boehm, Ralph  
Cebrowski, John  
Danielson, David  
Haefner, Robert  
Infantine, William  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Sanborn, Laurie

Burt, John  
Coffey, James  
Flanagan, Jack  
Hansen, Peter  
Jasper, Shawn  
Marston, Dick  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Sandblade, Emily

Shaw, Barbara  
Sullivan, Daniel  
Villeneuve, Moe

Souza, Kathleen  
Sweeney, Shawn  
Warden, Mark

Straight, Philip  
Takesian, Charlene  
Winters, Joel

Stroud, Kathleen  
Ulery, Jordan

### MERRIMACK

Carey, Lorrie  
Kotowski, Frank  
Reed, Dennis

Hess, David  
McGuire, Carol  
Smith, Todd

Hoell, J.R.  
McGuire, Dan  
Walsh, Thomas IV

Kidder, David  
Patten, Dick

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Copeland, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
McKinney, Betsy  
Oligny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Tamburello, Daniel  
Waterhouse, Kevin

Allen, Mary  
Charron, Gene  
Danaïs, Romeo  
Elliott, Robert  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Kappler, Lawrence  
McMahon, Charles  
Packard, Sherman  
Priestley, Anne  
Schroadter, Adam  
Tasker, Kyle  
Webb, James Sr

Baldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Khan, Aboul  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Tremblay, Stella  
Weyler, Kenneth

Bick, Patrick  
Comerford, Timothy  
Devine, James  
Ferrante, Beverly  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Kolodziej, Walter  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
Sytek, John  
Tucker, Pamela

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren

### SULLIVAN

Grenier, James  
and the majority committee report was adopted.

Rollins, Skip

Smith, Steven

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Daniel Eaton moved that the House reconsider its actions whereby, on a roll call vote of 192-161, the House adopted the majority committee report of Inexpedient to Legislate on **HB 354-FN-A**, reducing the rate of the business enterprise tax over a 5-year period and repealing the tax.

Rep. Daniel Eaton spoke against.

Motion failed.

### REGULAR CALENDAR (CONT'D)

**HB 370-FN**, repealing the education tax credit program. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan W. Almy for the Majority of Ways and Means: The program enacted last year to provide a small public subsidy to parents sending their children to private schools or home-schooling them would be repealed by this bill. The subsidy is provided through a special business tax credit that administratively burdens businesses and two understaffed state agencies. Ironically, it requires vigilance as to whether the children supported are distinct from the donor business and whether they actually moved and stayed moved out of the public system, but purposefully allows no way for the state to determine whether the public money foregone has improved those children's educations, except for the parents' own approval and their voluntary reporting of post-school outcomes. Our public school students and parents are allowed no such leeway. The program forces a choice on the legislature as to whether the cost will come from extremely scarce general fund dollars or by down-shifting to the public schools and local property tax. There is very little expense that a school can cut when it loses a few children per grade. This first term, the legislature chose to put most of that burden on the general fund, a potential loss of \$8-9M over the biennium if the program was successful in attracting business donors and parents, with rapid automatic increases thereafter if

successful. In a later term, given our constrained revenues, the choice might be to down-shift the whole burden. The program is also likely to be declared contrary to the state constitution after a lawsuit the state will have to finance. The majority believes that the time to repeal this program is now, given the lack of accountability, complicated administration, unconstitutionality and fragile state of both state and local revenues. Vote 10-7.

Rep. Laurie J. Sanborn for the Minority of Ways and Means: This bill repeals a recently passed scholarship program for lower income families which enables them choice when their child would perform better in a learning environment different from the one they are obligated to attend due to their zip code. The education tax credit bill was well vetted in extensive subcommittee meetings to ensure its constitutionality and effectiveness in helping those that need it, while maintaining our commitment to excellence in the public school system. Caps were placed on the total financial impact on public schools to 1/3 of one percent of the total education budget. The law was also carefully constructed to hold a school district harmless financially if more students leave than would be typical with regular relocation and attrition. The credit has only been in effect for one month. Just the mere mention of a potential repeal has caused potential business participants to be reluctant to contribute to the scholarship program. The minority believes it is imperative that we give this scholarship program, and the children it is aimed at helping, a chance to succeed and keep our promise to the hundreds of families who have already applied for this assistance.

The question being adoption of the majority committee report of Ought to Pass.

Reps. Hess, Kris Roberts and Ladd spoke against and yielded to questions.

Reps. Gile and Carey spoke in favor and yielded to questions.

Reps. Tucker and Sanborn spoke against.

Reps. Porter, Almy and Vaillancourt spoke in favor.

Rep. Almy requested a roll call; sufficiently seconded.

### YEAS 188 NAYS 151

#### YEAS 188

#### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

#### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia

Hatch, William

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Sykes, George

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Smith, Suzanne

#### HILLSBOROUGH

Backus, Robert  
Chandley, Shannon

Beaulieu, Jane  
Connor, Evelyn

Campbell, David  
Cote, David

Carroll, Douglas  
DiSilvestro, Linda

Dobson, Jeremy  
 Goley, Jeffrey  
 Harriott-Gathright, Linda  
 Knowles, Mary Ann  
 Long, Patrick  
 Nelson, Mary  
 Rosenwald, Cindy  
 Smith, Timothy  
 Sullivan, Peter  
 Williams, Kermit

Gage, Ruth  
 Gorman, Mary  
 Heden, Ruth  
 Leishman, Peter  
 MacKay, Mariellen  
 O'Brien, Michael Sr  
 Schmidt, Janice  
 Soucy, Timothy  
 Vail, Suzanne  
 Woodbury, David

Gale, Sylvia  
 Grady, Brenda  
 Jack, Martin  
 Levasseur, Nickolas  
 Manley, Jonathan Sr  
 Porter, Marjorie  
 Shattuck, Gilman  
 Spratt, Stephen  
 Vaillancourt, Steve

Gargasch, Carolyn  
 Hammond, Jill  
 Kelley, John  
 Levesque, Melanie  
 McNamara, Richard  
 Rokas, Ted  
 Shaw, Barbara  
 Sullivan, Daniel  
 Walsh, Robert Jr

### MERRIMACK

Alicea, Caroletta  
 Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Watrous, Rick

Andrews, Christopher  
 Carey, Lorrie  
 Frambach, Mary  
 Henle, Paul  
 Kelly, Sally  
 Patten, Dick  
 Rogers, Katherine  
 Turcotte, Alan

Bartlett, Christy  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Lockwood, Priscilla  
 Ratzki, Mario  
 Schamberg, Thomas  
 Wallner, Mary Jane

Bouchard, Candace  
 Davis, Frank  
 French, Barbara  
 Hunt, Jane  
 MacKay, James  
 Rice, Chip  
 Schuett, Dianne  
 Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
 Cahill, Michael  
 Flockhart, Eileen  
 Mann, Maureen  
 Pantelakos, Laura  
 Ward, Gerald

Borden, David  
 Copeland, Timothy  
 Heffron, Frank  
 Moody, Marcia  
 Schlachman, Donna  
 Wazlaw, Brian

Briden, Steven  
 Cushing, Robert Jr  
 Helmstetter, Barbara  
 Muns, Chris  
 Sherman, Thomas  
 Whittemore, Lisa

Burtis, Elizabeth  
 Emerson-Brown, Rebecca  
 Lovejoy, Patricia  
 Oligny, Jeffrey  
 Sytek, John

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Spang, Judith

Berube, Roger  
 Gardner, Janice  
 Horrigan, Timothy  
 Miller, David  
 Rollo, Deanna  
 Verschueren, James

Bixby, Peter  
 Ginsburg, Philip  
 Kaen, Naida  
 Pelletier, Marsha  
 Schmidt, Peter  
 Wall, Janet

Burdwood, Greg  
 Grassie, Anne  
 Ketel, Stephen  
 Perry, Robert  
 Smith, Marjorie

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Sweeney, Cynthia

Gagnon, Raymond  
 Lefebvre, Benjamin  
 Tanner, Linda

Gottling, Suzanne  
 O'Hearne, Andrew

Grenier, James  
 Schmidt, Andrew

### NAYS 151

### BELKNAP

Burchell, Richard  
 Fink, Charles  
 Tilton, Franklin

Comtois, Guy  
 Flanders, Donald  
 Vadney, Herbert

Cormier, Jane  
 Holmes, Stephen  
 Worsman, Colette

Fields, Dennis  
 Sylvia, Michael

### CARROLL

Ahlgren, Christopher  
 McConkey, Mark  
 Umberger, Karen

Chandler, Gene  
 Merrow, Harry  
 Wright, Donald

Cordelli, Glenn  
 Nelson, Bill

Crawford, Karel  
 Schmidt, Stephen

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

Roberts, Kris



**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Judy, Jean  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Ulery, JordanBelanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hikel, John  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Villeneuve, MoeBoehm, Ralph  
Christiansen, Lars  
Danielson, David  
Graham, John  
Infantine, William  
Lambert, George  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Stroud, Kathleen  
Willette, RobertBurt, John  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Jasper, Shawn  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Takesian, Charlene  
Winters, Joel**MERRIMACK**Hess, David  
McGuire, Carol  
Walsh, Thomas IVHoell, J.R.  
McGuire, DanKidder, David  
Reed, DennisKotowski, Frank  
Smith, Todd**ROCKINGHAM**Abrami, Patrick  
Birdsell, Regina  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Kappler, Lawrence  
McMahon, Charles  
Peckham, Michele  
Rice, Frederick  
Tucker, PamelaAllen, Mary  
Bishop, Franklin  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Khan, Aboul  
Nigrello, Robert  
Perkins, Amy  
Schroadter, Adam  
Waterhouse, KevinBaldasaro, Alfred  
Charron, Gene  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Kolodziej, Walter  
O'Connor, John  
Perkins, Lawrence  
Sedensky, John  
Webb, James SrBick, Patrick  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Itse, Daniel  
McKinney, Betsy  
Packard, Sherman  
Priestley, Anne  
Tremblay, Stella  
Weyler, Kenneth**STRAFFORD**Beaudoin, Steven  
Jones, LauraBickford, David  
Mullen, John JrGray, James  
Parsons, Robbie

Groen, Warren

**SULLIVAN**

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Daniel Eaton moved that the House reconsider its action whereby, on a roll call vote of 188-151, it adopted the majority committee report of Ought to Pass on **HB 370-FN**, repealing the education tax credit program.

Rep. Daniel Eaton spoke against.

On a division vote, 140 members having voted in the affirmative and 194 in the negative, the motion failed.

**REGULAR CALENDAR(CONT'D)**

**HB 427**, relative to tobacco tax laws. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas C. Schamberg for Ways and Means: This bill merely adds existing requirements already found in the definitions section to the operational part of the statute and adds tobacco stamps to the tobacco products for which records must be kept. The latter is needed to satisfy the recordkeeping required by the master settlement agreement which brings in over \$40M annually. In moving the former language, it became unclear to premium cigar sellers and manufacturers that they were exempt. The amendment clarifies the exemption. It removes the requirement that premium cigars cost more than \$2 at manufacturers' level but maintains other criteria: must use a humidor, all natural tobacco leaf, hand constructed, hand wrapped, purchased directly from a manufacturer and weighing more than 3 pounds per 1000 cigars. Vote 15-3.

**Amendment (0317h)**

Amend RSA 78:12-a, I-II as inserted by section 1 of the bill by replacing them with the following:

**I.** Manufacturers, wholesalers, and sub-jobbers shall not sell tobacco products to any licensee who does not possess a valid or current license issued by the commissioner or issued by the liquor commission under RSA 178. ~~[Any person who violates the provisions of this section shall be subject to the penalty provisions of RSA 21-J:39.]~~

**II.** *New Hampshire licensed manufacturers engaged in the business of importing, exporting, producing, or manufacturing tobacco products, other than products defined as premium cigars under RSA 78:1, XXI, shall sell the products only to licensed wholesalers.*

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 5:

3 Definitions. Amend RSA 78:1, III to read as follows:

**III.** "Manufacturer" means any person engaged in the business of importing, exporting, producing, or manufacturing tobacco products, *other than products defined as premium cigars under RSA 78:1, XXI*, who sells his product only to licensed wholesalers.

4 Definitions. Amend RSA 78:1, XXI to read as follows:

**XXI.** "Premium cigars" means cigars which are made entirely by hand of all natural tobacco leaf, hand constructed and hand wrapped, ~~[wholesaling for \$2 or more;]~~ *purchased directly from a manufacturer* and weighing more than 3 pounds per 1000 cigars. These cigars shall be kept in a humidor at the proper humidity.

**AMENDED ANALYSIS**

This bill clarifies activities which constitute unauthorized sales of tobacco products. The bill also adds records of tobacco stamps sold and tobacco products distributed to required taxpayer records. Rep. Almy moved Recommit and spoke in favor.

Adopted.

Recommitted to the Committee on Ways and Means.

**HB 434-FN-A**, relative to renaming the business enterprise tax, capping the amount an employer is liable to pay under such tax, and annually reducing the rate of the tax. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Gilman C. Shattuck for the Majority of Ways and Means: A bipartisan majority of the committee believes that this tax is a unique part of New Hampshire tax law and its unique name reflects that. Since the tax is a tax on payroll, rent and interest, it is not only an income tax. Capping the tax being paid by each individual in a given year is unconstitutional since it will result in varying rates. The department of revenue administration indicates that it will incur a substantial but undetermined cost to change all forms to reflect a new name and a changing rate every year. Further, this department has stated that revenues will be decreased by \$19.6M in total for fiscal years 2014 and 2015. A sizable reduction of this tax, at this time will have major detrimental effects on the ability of our state to meet its obligations to our citizens and businesses. Vote 13-4.

Rep. Jordan G. Ulery for the Minority of Ways and Means: The bill sought to accurately identify what the BET is, a tax on the revenue or income of a business from any source. That income is accounted for in payroll payout and, believe it or not, the interest paid on loans. The current practice is a disincentive for businesses to organize in New Hampshire. The minority believes that a reduction of taxes in this fragile economic environment will have a positive impact upon the economy of the state. The minority believes this bill acts as a stimulant and is more important than taxing business.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 201 NAYS 128****YEAS 201****BELKNAP**

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa  
Tilton, Franklin

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
Lavender, Tom

Butler, Edward  
Schmidt, Stephen

Chandler, Gene  
Ticehurst, Susan

Crawford, Karel  
White, Syndi

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Doolan, Ralph Jr  
Higgins, Patricia  
Mulholland, Catherine  
Sykes, George

Benn, Bernard  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Townsend, Charles

Brown, Rebecca  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Chandlee, Shannon  
Dobson, Jeremy  
Goley, Jeffrey  
Hammond, Jill  
Jasper, Shawn  
Kurk, Neal  
Long, Patrick  
Nelson, Mary  
Schmidt, Janice  
Spratt, Stephen  
Vaillancourt, Steve  
Woodbury, David

Beaulieu, Jane  
Connor, Evelyn  
Gage, Ruth  
Gorman, Mary  
Harriott-Gathright, Linda  
Judy, Jean  
Leishman, Peter  
MacKay, Mariellen  
O'Brien, Michael Sr  
Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr

Campbell, David  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Heden, Ruth  
Kelley, John  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Peter  
Williams, Kermit

Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Graham, John  
Jack, Martin  
Knowles, Mary Ann  
Levesque, Melanie  
McNamara, Richard  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne  
Winters, Joel

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Smith, Todd  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Nigrello, Robert  
Sytek, John

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Pantelakos, Laura  
Ward, Gerald

Borden, David  
Copeland, Timothy  
Heffron, Frank  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Briden, Steven  
Cushing, Robert Jr  
Helmstetter, Barbara  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Burdwood, Greg  
Grassie, Anne  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie

Berube, Roger  
Burke, Rachel  
Grossman, Kenneth  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith

Bickford, David  
Gardner, Janice  
Horrigan, Timothy  
Miller, David  
Rollo, Deanna  
Verschueren, James

Bixby, Peter  
Ginsburg, Philip  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

**NAYS 128****BELKNAP**

Burchell, Richard  
Flanders, Donald  
Worsman, Colette

Cormier, Jane  
Holmes, Stephen

Fields, Dennis  
Sylvia, Michael

Fink, Charles  
Vadney, Herbert

**CARROLL**

Cordelli, Glenn  
Umberger, Karen

McConkey, Mark  
Wright, Donald

Morrow, Harry

Nelson, Bill

**CHESHIRE**

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad

Bradley, Lester

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hikel, John  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Ulery, Jordan

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Infantine, William  
Marston, Dick  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Villeneuve, Moe

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Haefner, Robert  
Lambert, George  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Stroud, Kathleen  
Willette, Robert

Burt, John  
Coffey, James  
Fianagan, Jack  
Hansen, Peter  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Takesian, Charlene

**MERRIMACK**

Hoell, J.R.  
Reed, Dennis

Kidder, David  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Bick, Patrick	Birdsell, Regina
Bishop, Franklin	Chirichiello, Brian	Comerford, Timothy	Danaïs, Romeo
DeSimone, Debra	Devine, James	Duarte, Joe	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Grace, Curtis	Griffin, Mary
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen
Itse, Daniel	Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter
McKinney, Betsy	McMahon, Charles	O'Connor, John	Packard, Sherman
Peckham, Michele	Perkins, Amy	Perkins, Lawrence	Priestley, Anne
Rice, Frederick	Schroadter, Adam	Sedensky, John	Tremblay, Stella
Tucker, Pamela	Waterhouse, Kevin	Webb, James Sr	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven	Gray, James	Groen, Warren	Jones, Laura
Mullen, John Jr	Parsons, Robbie		

**SULLIVAN**

Grenier, James	Rollins, Skip	Smith, Steven
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and the majority committee report was adopted.

**BILLS REMOVED FROM THE CONSENT CALENDAR**

**HB 278**, relative to voluntary installation of fire suppression sprinklers. **OUGHT TO PASS.**

Rep. John B. Hunt for Commerce and Consumer Affairs: This bill responds to unintended concerns arising from the passage of HB 109, Chapter 203, Laws of 2011. HB 109, the language of which is codified in RSA 674:36, IV, prohibits a planning board from requiring the installation of fire suppression sprinkler systems in proposed one- and two-family residences. The present concern relates to whether a planning board is authorized to accept and enforce an applicant's voluntary offer to install sprinklers in new homes. HB 278 was jointly suggested by the state fire marshal's office and the homebuilders and remodelers association to clarify that an offer to install sprinklers can be accepted by a planning board and enforced by a municipality. During the committee's consideration of the bill, the sole reservation related to whether the bill would encourage planning boards to manipulate applicants to elicit an offer of sprinklers. The committee, however, felt that the language in the bill, stating that the ban "shall not prohibit an applicant from offering to install" adequately addressed this reservation and made clear that such an "offer" could only come from the applicant. Vote 18-0.

Rep. Butler moved Recommit and spoke in favor.  
Adopted.

Recommitted to the Committee on Commerce and Consumer Affairs.

**HB 344-FN-L**, relative to aid to school districts for the cost of special education. **OUGHT TO PASS.**

Rep. Rick M. Ladd for Education: Catastrophic aid is provided to school districts for the cost of mandated special education programs. In FY 12, total costs for catastrophic aid amounted to \$79,594,759. In accordance with statute, the portion of entitlement funds provided by the state to local school districts amounted to \$30,921,337; however, the actual entitled amount was reduced to a pro-ratio amount of \$21,340,674., or 69%. In addition, current year funding for these special education costs is based upon the preceding year's costs. Combined with shrinking funding from the state (FY 12 69%, FY 11 77%, FY 10 85% and FY 09 91%) and payment based upon the preceding year, districts are forced to borrow, transfer funds from other operating budget accounts, or rely on reserves to meet special education costs. If a district enrolls a high cost student (\$150,000 – 200,000/yr) during the school year, the district is forced to seek funding from one of the options previously mentioned. This bill provides that the amount of entitlement funding for a given year will not drop below 80%. If this provision was in place during FY 12, additional state funding would be \$3,396,394. The intent of catastrophic aid is to fund mandated IEP costs for our most vulnerable students and to do so at 100%. Each year that the state's portion is decreased, the financial burden is increasingly transferred to the local tax payer. This bill has the unanimous support of the education committee. Vote 18-0.

Rep. Carol McGuire spoke against.

Rep. Ladd spoke in favor.

Committee report adopted and referred to the Committee on Finance.

**HB 143**, allowing straight ticket voting. **INEXPEDIENT TO LEGISLATE.**

Rep. Melanie A. Levesque for Election law: In 2007 the New Hampshire legislature voted to repeal straight ticket voting. This bill would reinstate the option. In New Hampshire we have an opportunity to meet candidates for office from president to registrar of deeds. Our citizens are astute and want to know whom they are electing. Many people vote based on who will do the best job regardless of party. In addition, straight ticket voting has caused confusion when voters split their ballot. This can result in an over vote, which invalidates the ballot or make it difficult to determine the intention of the voter. The committee believes current law is adequate. Vote 15-0.

On a division vote, 285 members having voted in the affirmative and 36 in the negative, the committee report was adopted.

### SPECIAL ORDERED

Without objection, the Chair ordered the remaining bills on today's calendar to be made Special Orders for the next session day at the end of the Regular Calendar.

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, February 27, 2013 at 10:00 a.m.

Adopted.

### LATE SESSION

#### Third reading and final passage

**HB 309**, relative to filing for office.

**HB 328-FN**, relative to the sale of pets.

**HB 547**, establishing a commission to study permanent options for funding the veterinary diagnostic laboratory.

**HB 156**, relative to the appointment and duties of the state fire marshal.

**HB 267**, relative to the board of accountancy.

**HB 376**, relative to the shop licensure requirements for barbers, cosmetologists, manicurists, and estheticians.

**HB 385**, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

**HB 543**, relative to ascertaining damages to abutting landowners.

**HB 200**, relative to an employer's burden of proof in unemployment compensation hearings.

**HB 359**, relative to mailing of notices and determinations by the department of employment security.

**HB 361**, relative to worksharing.

**HB 602**, establishing a commission to study general court policies and procedures relative to persons with disabilities.

**HB 283**, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B.

**HB 509**, requiring the department of administrative services to provide the New Hampshire Department of American Legion with office space.

**HB 550**, relative to the disposition of state-owned real estate.

**HB 607**, relative to construction projects for the adjutant general's department.

**HB 157**, renaming Blood Pond in the town of Lancaster as Evans Pond.

**HB 233**, relative to the care of the war memorial in Franconia Notch state park.

**HB 535**, establishing the white potato as the state vegetable.

**HB 325-FN**, relative to public employee suggestions for cost-saving measures.

**HB 388**, relative to the storage of firearms.

**HB 403**, establishing a committee to study end of life decisions.

**HB 482-FN**, regarding infestation of bed bugs in rental housing.

**HB 347**, authorizing cottage housing development as an innovative land use control.

**SB 39-FN-A**, relative to funding of capital projects of the division of ports and harbors, Pease development authority.

**HB 370-FN**, repealing the education tax credit program.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Adopted.

The House recessed at 5:35 p.m.

### RECESS

**Wednesday, February 27, 2013**

**(Rep. Shurtleff in the Chair)**

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by Rep. Shurtleff.

In the absence of a quorum, Rep. Hatch moved that the House adjourn.  
Adopted.

The Chair, without objection, stated that the House would continue the recess from February 20<sup>th</sup> for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

The House adjourned at 10:05 a.m. until Wednesday, March 6, 2013 at 10:00 a.m.

**(Rep. Chandler in the Chair)**

### RESOLUTION

Rep. Jasper offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 115 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.  
Adopted.

### INTRODUCTION OF SENATE BILL

**First, second reading and referral**

**SB 115**, naming a bridge in the town of Whitefield. (Public Works and Highways)

### RECESS

**(Rep. Burt in the Chair)**

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly Enrolled Senate Bill numbered 39.  
Rep. Shurtleff, Sen. Stiles for the Committee

### RECESS

**(Rep. Weber in the Chair)**

### RESOLUTION

Rep. Raymond Gagnon offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee, House Bill numbered 682 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.  
Adopted.

**INTRODUCTION OF HOUSE BILL****First, second reading and referral**

**HB 682-FN**, relative to credit card fees. (Myler, Merr 10; G. Richardson, Merr 10; Arsenault, Belk 9; Huot, Belk 3; Shurtleff, Merr 11; Grassie, Straf 11; Ratzki, Merr 1; French, Merr 6; Tanner, Sull 9; Gile, Merr 27; Larsen, Dist 15: Commerce and Consumer Affairs)

**RECESS**

**(Rep. French in the Chair)**

**RESOLUTION**

Rep. Ford offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 74 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.  
Adopted.

**INTRODUCTION OF SENATE BILL****First, second reading and referral**

**SB 74**, relative to an exemption for entities that furnish hot water through a district energy system. (Science, Technology and Energy)

**RECESS**

**(Rep. French in the Chair)**

**RESOLUTION**

Rep. Ford offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee, House Bills numbered 683 and 684 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.  
Adopted.

**INTRODUCTION OF HOUSE BILLS****First, second reading and referral**

**HB 683-FN**, relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management. (Kaen, Straf 5; Jasper, Hills 37; Shurtleff, Merr 11; Weber, Ches 1; Goley, Hills 8; Larsen, Dist 15: Executive Departments and Administration)

**HB 684**, relative to bridge replacement and bridge aid funds. (Rowe, Hills 22; Sanborn, Hills 41; Hansen, Hills 22; S. Chandley, Hills 22; Bragdon, Dist 11: Public Works and Highways)

**RECESS**

**(Rep. Shurtleff in the Chair)**

**RESOLUTION**

Rep. Wallner offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee, House Bill numbered 685 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.  
Adopted.

**INTRODUCTION OF HOUSE BILL****First, second reading and referral**

**HB 685**, relative to state agency communications under the right-to-know law. (Leishman, Hills 24; L. Ober, Hills 37; M. Nelson, Hills 35: Judiciary)

**RECESS**

**(Rep. Kaen in the Chair)**

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 57 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.  
Adopted.



**INTRODUCTION OF SENATE BILL****First, second reading and referral**

**SB 57**, relative to approval of the project proposal by the Town of Alstead for the lower Warren Brook Restoration project, establishing a commission to determine the appropriate use of flood damaged property, and repealing a commission established in 2006 to determine the appropriate use of property damaged in the October 2005 floods. (Resources, Recreation and Development)

RECESS

(Rep. Shurtleff in the Chair)

**RESOLUTION**

Rep. Weber offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee, House Bill numbered 686 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.  
Adopted.

**INTRODUCTION OF HOUSE BILL****First, second reading and referral**

**HB 686**, relative to governor and council approval of state contracts. (L. Ober, Hills 37; Leishman, Hills 24; M. Nelson, Hills 35; Rosenwald, Hills 30; Morse, Dist 22; Reagan, Dist 17: Executive Departments and Administration)

RECESS

(Rep. Kaen in the Chair)

**RESOLUTION**

Rep. Norelli offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee, House Bills numbered 1 and 2 shall be by this resolution read a first and second time by the therein listed titles, sent for printing and referred to the therein designated committees.  
Adopted.

**INTRODUCTION OF HOUSE BILLS****First, second reading and referral**

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015. (Wallner, Merr 10: Finance)

**HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures. (Wallner, Merr 10: Finance)

RECESS

(Rep. Shurtleff in the Chair)

**RESOLUTION**

Rep. Almy offered the following: **RESOLVED**, that late drafting and introduction having been approved by the Rules Committee, House Bill numbered 25 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.  
Adopted.

**INTRODUCTION OF HOUSE BILL****First, second reading and referral**

**HB 25-FN-A**, making appropriations for capital improvements. (Campbell, Hills 33: Public Works and Highways)

RECESS

**(Rep. Gorman in the Chair)**

**RESOLUTION**

Rep. Cote offered the following: RESOLVED, that introduction having been approved by the Rules Committee, House Resolution numbered 8 shall be by this resolution read a first and second time by the therein listed title.  
Adopted.

**INTRODUCTION OF HOUSE RESOLUTION**

**First, second reading**

**HR 8**, affirming revenue estimates for fiscal years 2013, 2014, and 2015. (Almy, Graf 13)

RECESS

**(Speaker Norelli in the Chair)**

Rep. Kaen moved that the House adjourn.  
Adopted.

**HOUSE JOURNAL No. 9**

Wednesday, March 6, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by Guest Chaplain, Reverend Canon Charles LaFond, Canon for Congregational Life of the Episcopal Diocese of New Hampshire.

Most spiritual traditions differentiate between stillness and silence. Silence is simply not speaking. Stillness is of the heart and minds, so I welcome you in a moment of stillness. Let us pray. God of all mercy, companion us in leadership as we take responsibility for enabling others to achieve a shared purpose under conditions of uncertainty. When we try to wiggle out of uncertainty by pretending that we are sure about what we think, forgive us for our pride. Give us the grace and humility to imagine a reality beyond that of which we are so sure so that we might be right even in our perceived power. Finally, help us to be against issues and not against people so that together we may lead not with power but with integrity, the integer of a wholeness of being, balance and bravery. Amen.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Representative Barbara Shaw, member from Manchester, led the Pledge of Allegiance.

The Bow High School Chorus sang the National Anthem.

**LEAVES OF ABSENCE**

Reps. Azarian, Palangas, Tatro and Carol Williams, the day, illness.

Reps. Barry, Richard Eaton, Flanders, Bianca Garcia, Hackel, Kotowski, Nickolas Levasseur, Ley, Nigrello, Oligny, Rokas, Souza, Spainhower and Gerald Ward, the day, important business.

**INTRODUCTION OF GUESTS**

Donald Jean, guest of Rep. Gale. Kristina Eskalona, guest of Rep. Friedrich. Catherine Cavelon, guest of Rep. Judy. Elaine Frank, guest of Rep. Sally Kelly. Nancy Kelley, wife of Rep. John Kelley.

**MOTION TO SUSPEND HOUSE RULES**

Reps. Shurtleff and Chandler moved that a section of House Rule 65 be so far suspended as to permit the deadline of the last day to act on House Bills going to a second committee to be moved to March 7, 2013.

Rep. Chandler spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 321 NAYS 38****YEAS 321****BELKNAP**

Arsenault, Beth  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Burchell, Richard  
Gulick, Ruth  
Raymond, Ian

DiMartino, Lisa  
Holmes, Stephen  
Tilton, Franklin

Fields, Dennis  
Huot, David  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Crawford, Karel  
Nelson, Bill  
White, Syndi

Buco, Thomas  
Lavender, Tom  
Schmidt, Stephen  
Wright, Donald

Butler, Edward  
McConkey, Mark  
Ticehurst, Susan

Chandler, Gene  
Morrow, Harry  
Umberger, Karen

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys

Berch, Paul  
Eaton, Daniel  
Johnson, Jane

Burridge, Delmar  
Emerson, Susan  
Lerandeau, Alfred

Butynski, William  
Hunt, John  
Mann, John

Parkhurst, Henry  
Sad, Tara  
Young, Harry

Phillips, Larry  
Shepardson, Marjorie

Roberts, Kris  
Weber, Lucy

Robertson, Timothy  
Weed, Charles

### COOS

Coulombe, Gary  
Rappaport, Laurence  
Thomas, Yvonne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

### GRAFTON

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Bailey, Brad  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Booras, Efstathia  
Cebrowski, John  
Connor, Evelyn  
Danielson, David  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Hansen, Peter  
Hopper, Gary  
Judy, Jean  
Kurk, Neal  
Levesque, Melanie  
Martel, Andre  
Nelson, Mary  
Ober, Russell III  
Pratt, Calvin  
Rowe, Robert  
Shaw, Barbara  
Stroud, Kathleen  
Vail, Suzanne  
Winters, Joel

Beaulieu, Jane  
Byron, Frank  
Chandley, Shannon  
Cote, David  
DiSilvestro, Linda  
Gagne, Larry  
Goley, Jeffrey  
Haefner, Robert  
Harriott-Gathright, Linda  
Infantine, William  
Kelley, John  
LeBrun, Donald  
Long, Patrick  
McCarthy, Michael  
O'Brien, Michael Sr  
Parison, James  
Renzullo, Andrew  
Sanborn, Laurie  
Smith, Timothy  
Sullivan, Daniel  
Walsh, Robert Jr  
Woodbury, David

Belanger, James  
Campbell, David  
Christiansen, Lars  
Culbert, Patrick  
Dobson, Jeremy  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Jack, Martin  
Knowles, Mary Ann  
Leishman, Peter  
MacKay, Mariellen  
McCloskey, David  
O'Flaherty, Tim  
Pellegrino, Tony  
Rhodes, Brian  
Sandblade, Emily  
Soucy, Timothy  
Sullivan, Peter  
Willette, Robert

Boehm, Ralph  
Carroll, Douglas  
Coffey, James  
Daniels, Gary  
Flanagan, Jack  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Hinch, Richard  
Jasper, Shawn  
Kopka, Angeline  
LeVasseur, Richard  
Manley, Jonathan Sr  
McNamara, Richard  
Ober, Lynne  
Porter, Marjorie  
Rosenwald, Cindy  
Shattuck, Gilman  
Spratt, Stephen  
Takesian, Charlene  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Lockwood, Priscilla  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
McGuire, Carol  
Ratzki, Mario  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Reed, Dennis  
Schamberg, Thomas  
Turcotte, Alan  
Watrous, Rick

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick

Allen, Mary  
Birdsell, Regina

Andrews-Ahearn, E. Elaine  
Bishop, Franklin

Belanger, Ronald  
Borden, David

Briden, Steven  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerson-Brown, Rebecca  
 Friel, William  
 Heffron, Frank  
 Kappler, Lawrence  
 Lundgren, David  
 McMahon, Charles  
 O'Connor, John  
 Perkins, Amy  
 Sanders, Elisabeth  
 Sedensky, John  
 Sytek, John  
 Wazlaw, Brian

Cahill, Michael  
 Copeland, Timothy  
 Devine, James  
 Ferrante, Beverly  
 Gordon, Richard  
 Helmstetter, Barbara  
 Khan, Aboul  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Perkins, Lawrence  
 Sapareto, Frank  
 Sherman, Thomas  
 Till, Mary  
 Webb, James Sr

Cali-Pitts, Jacqueline  
 Cushing, Robert Jr  
 Dumaine, Dudley  
 Fesh, Robert  
 Griffin, Mary  
 Hodgdon, Bruce  
 Kolodziej, Walter  
 Mann, Maureen  
 Moody, Marcia  
 Pantelakos, Laura  
 Priestley, Anne  
 Scarlotto, Joe  
 St.James, Kevin  
 Tremblay, Stella  
 Weyler, Kenneth

Charron, Gene  
 Danais, Romeo  
 Emerick, J. Tracy  
 Flockhart, Eileen  
 Hayes, Jack  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 McKinney, Betsy  
 Muns, Chris  
 Peckham, Michele  
 Rice, Frederick  
 Schlachman, Donna  
 Sweeney, Joe  
 Waterhouse, Kevin  
 Whittemore, Lisa

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Kaen, Naida  
 Miller, David  
 Pitre, Joseph  
 Smith, Marjorie  
 Wall, Janet

Berube, Roger  
 Gardner, Janice  
 Hooper, Dorothea  
 Ketel, Stephen  
 Mullen, John Jr  
 Rogers, Rose Marie  
 Spang, Judith  
 Ward, Kenneth

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Malloy, Dennis  
 Parsons, Robbie  
 Rollo, Deanna  
 Stevens, Audrey

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Perry, Robert  
 Schmidt, Peter  
 Verschuieren, James

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Schmidt, Andrew

Gagnon, Raymond  
 Lefebvre, Benjamin  
 Smith, Steven

Gottling, Suzanne  
 O'Hearne, Andrew  
 Sweeney, Cynthia

Grenier, James  
 Rollins, Skip  
 Tanner, Linda

### NAYS 38

### BELKNAP

Comtois, Guy

Cormier, Jane

Greemore, Robert Jr

Sylvia, Michael

### CARROLL

Cordelli, Glenn

### CHESHIRE

None

### COOS

None

### GRAFTON

None

### HILLSBOROUGH

Burt, John  
 Marston, Dick  
 Murphy, Kelleigh  
 Peterson, Lenette  
 Vaillancourt, Steve

Garcia, Michael  
 Meaney, Richard  
 Notter, Jeanine  
 Straight, Philip  
 Villeneuve, Moe

Hikel, John  
 Murotake, David  
 O'Brien, William  
 Sweeney, Shawn  
 Warden, Mark

Lambert, George  
 Murphy, Keith  
 Palmer, Stephen  
 Ulery, Jordan

### MERRIMACK

Hoell, J.R.

Smith, Todd

**ROCKINGHAM**

Baldasaro, Alfred  
Hagan, Joseph

Comerford, Timothy  
Harris, Jeffrey

Duarte, Joe  
Itse, Daniel

Grace, Curtis  
Thompson, David

**STRAFFORD**

Beaudoin, Steven

Gray, James

Groen, Warren

Jones, Laura

**SULLIVAN**

None

and the motion was adopted by the necessary two-thirds vote.

**MOTION TO SUSPEND HOUSE RULES**

Reps. Shurtleff and Chandler moved that a section of House Rule 65 be so far suspended as to permit the deadline of the last day to act on House Bills not going to a second committee, to be moved to March 28, 2013.

Rep. Shurtleff spoke in favor.

On a division vote, 344 members having voted in the affirmative and 19 in the negative, the motion was adopted by the necessary two-thirds vote.

**MOTION TO SUSPEND HOUSE RULES**

Reps. Shurtleff and Chandler moved that House Rules be so far suspended as to allow the deadline for reporting of **HB 686**, relative to governor and council approval of state contracts, to be moved to March 21, 2013.

Rep. Gary Richardson spoke in favor.

On a division vote, 347 members having voted in the affirmative and 16 in the negative, the motion was adopted by the necessary two-thirds vote.

**COMMUNICATION**

March 6, 2013

Ms. Karen Wadsworth  
Clerk of the House of Representatives  
State House  
Concord, NH 03301

Dear Karen:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Hillsborough District No. 31 (Nashua Ward -4)

Pamela T. Brown, d, Nashua (2 Clocktower Place, Apt. 209) 03063

Sincerely,

William M. Gardner, Secretary of State

**CONSENT CALENDAR**

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 479-FN-L**, relative to the creation and division of school districts, removed by Rep. Hoell.

**HB 561-FN**, abolishing the department of cultural resources, removed by Rep. Vaillancourt.

Consent Calendar adopted.

Rep. Moffett declared a conflict of interest on **HB 252** and did not participate in the vote on the Consent Calendar.

**HB 327-FN**, relative to payment of attorneys' fees for indigent parents in termination of parental rights cases. **OUGHT TO PASS.**

Rep. Ruth P. Gulick for Children and Family Law: This bill assures that a parent or parents faced with the termination of their parental rights will have representation of counsel. This constitutionally long-held fundamental right will be provided irrespective of the parents' financial, emotional or intellectual capacity. Vote 19-0.

**HB 651-FN-A**, restoring funding and payment of fees by the judicial council for indigent parties. **INEXPEDIENT TO LEGISLATE.**

Rep. Dudley D. Dumaine for Children and Family Law: This bill is identical to HB 671, except this bill includes an appropriation. HB 671 unanimously passed the committee. Thus, the committee felt HB 651 was not required. Vote 19-0.

**HB 253**, eliminating limitations on sales by nano breweries for consumption on the premises. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joe W. Scarlotto for Commerce and Consumer Affairs: This bill, as introduced, would have repealed the serving size limitations on sale of beer samples by nano breweries for consumption on the premise. The amendment preserves the current sample size restrictions on nano brewery licenses that cost \$240 and provides for an enhanced nano brewery license to allow them to be exempt from the sample limitations. The enhanced license of \$240, for a total cost of \$480, matches an already existing license for establishments that only sell beer and wine but must have food available for sale. Vote 15-1.

#### **Amendment (0358h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to limitations on sales by nano breweries for consumption on the premises.

Amend the bill by replacing section 1 with the following:

1 Nano Brewery; On-Premises Licensing. Amend RSA 178:12-a, II(a) to read as follows:

II. (a) The annual fee for each license issued under this section shall be \$240. *The licensee may elect to be licensed as an on-premises nano brewery by paying an additional annual fee of \$240, which shall entitle the licensee to be exempt from the limitations on sales in subparagraph III(e) during such times as the licensee offers food for sale.*

#### **AMENDED ANALYSIS**

This bill allows a nano brewery to obtain a license upgrade exempting the licensee from sales limitations when the licensee is selling food.

**HB 275-FN**, requiring the liquor commission to establish a pilot program for the sale of New Hampshire microbrewery and nano brewery beers at certain state liquor stores. **INEXPEDIENT TO LEGISLATE.**

Rep. John B. Hunt for Commerce and Consumer Affairs: The committee felt putting beer in the highway liquor stores would create more problems, conflicts and headaches for a commission that has enough problems just promoting NH wines. Selling warm beer at roadside liquor stores is just not going to work. Vote 16-1.

**HB 320-FN**, establishing a state bank. **INEXPEDIENT TO LEGISLATE.**

Rep. Jill S. Hammond for Commerce and Consumer Affairs: The intent of this bill was to establish a state bank, to hold public moneys and serve as a development bank. However, this would require substantial capitalization, a difficult undertaking in New Hampshire. Presently, development funding in this state is already handled well through such organizations as the business finance authority, the community development finance authority and the municipal bond bank. The committee learned that the state's banking needs are served quite sufficiently through accounts at several private sector banks, minimizing transaction fees through compensating balance arrangements and in better times, traditional earnings. Vote 19-0.

**HB 333-FN**, relative to advertising of New Hampshire products by the liquor commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Z. Tucker for Commerce and Consumer Affairs: The purpose of this bill is to direct the liquor commission to spend advertising money on our New Hampshire made liquor and beverages sold in the state liquor stores. While the committee wants to help our local businesses, it is not the legislature's responsibility to manage the liquor commission's advertising dollars. Additionally, the 5% of advertising money suggested in the bill to be allocated is arbitrary with no rationale for the amount. Vote 18-0.

**HB 464**, establishing a procedure for removal of condominium board members. **INEXPEDIENT TO LEGISLATE.**

Rep. Ruth S. Heden for Commerce and Consumer Affairs: The accountability of condominium board members is one of the issues currently under review by the committee to study laws relating to condos and homeowner associations and they identified many interrelated issues. They plan further research before proposing new legislation. Vote 19-0.

**HB 274-FN**, requiring a mandatory minimum sentence for class B burglary. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: The sponsor of this bill noted that it was filed due to a constituent request. The committee is hesitant to pass anything based on a single episode, especially when the bill would remove judicial discretion and cause longer prison terms (at a cost of approximately \$35,000 a year). The committee does not believe a class B burglary should require an incarceration term of at least three years. Vote 19-0.

**HB 348**, relative to determining the period of license revocation for driving under the influence. **INEXPEDIENT TO LEGISLATE.**

Rep. Mark Warden for Criminal Justice and Public Safety: The committee unanimously decided this legislation was unneeded. Testimony suggested that the bill, if passed, would remove judicial discretion in sentencing. The New Hampshire State Police indicated it might also be difficult to implement without additional changes to its information technology systems. Vote 19-0.

**HB 142**, relative to teacher evaluation systems. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick M. Ladd for Education: This bill, as amended, states that school boards shall develop, with involvement of teachers and principals, for adoption, any teacher evaluation and support system to be used in the school district or school for the continued improvement of instruction. Any teacher or evaluation and support system provided by DOE or as approved by the state board may serve as a guide or reference. This is much like the curriculum frameworks that also serve as a guide and reference. Vote 17-1.

#### **Amendment (0462h)**

Amend the bill by replacing section 1 with the following:

1 New Paragraph; School Boards; Duty to Provide Education. Amend RSA 189:1-a by inserting after paragraph II the following new paragraph:

III. The school board shall develop, with the involvement of teachers and principals, for adoption any teacher evaluation and support system to be used in the school district or school for the continual improvement of instruction. Any teacher evaluation and support system that may be provided by the department of education or approved by the state board of education may serve as a guide and reference to the school district or school. In this paragraph, "teacher" shall have the same meaning as provided in RSA 189:14-a, V. Nothing in this paragraph shall supersede collective bargaining rights under RSA 273-A.

#### **AMENDED ANALYSIS**

This bill provides that the school board shall be responsible for the development and adoption of a teacher evaluation system.

**HB 180**, relative to the definitions of "student athlete" and "student sports" for the management of concussion and head injury. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick M. Ladd for Education: During the previous biennium, legislation was passed requiring that school districts have policies in place for the management of concussion and head injuries in student sports, grades 9-12. This bill extends the definition of "student athlete" and "student sports" to include students involved in any intramural sports program conducted outside the regular teaching day or in competitive sports programs between schools in grades 4-12. Due to the growing awareness of the potential long term health effects from concussions that occur when a person suffers a jarring hit or fall, this change better serves all student athletes. Vote 18-0.

#### **Amendment (0099h)**

Amend the bill by replacing section 1 with the following:

1 Head Injury Policies for Student Sports; Definitions. Amend RSA 200:52, III-IV to read as follows:

III. "Student-athlete" means a student *involved in any intramural sports program conducted outside the regular teaching day or competitive student sports program between schools* in grades ~~[9-12-involved in student sports]~~ **4-12**.



IV. "Student sports" means ~~[athletic programs]~~ *intramural sports programs conducted outside the regular teaching day for students in grades 4-12 or competitive athletic programs between schools* for students in grades ~~[9-12]~~ *4-12*.

**HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ralph G. Boehm for Education: This bill puts into law a provision for cities or towns to hold a special meeting, without court approval, if there is a change in the school funding formula. This law also has the budget committee, if one, to be involved in any budget changes. Parts of this provision have been put into the adequacy funding changes in the past. This puts it into law for future changes. The amendment makes it clear that this provision is only effective if the funding formula changes after the school district meeting, and only if the formula change is for that budget year. Vote 17-0.

#### **Amendment (0359h)**

Amend the bill by replacing sections 2 and 3 with the following:

2 New Paragraph; Use of Official Ballot. Amend RSA 40:13 by inserting after paragraph XVII the following new paragraph:

XVIII. In response to statutory changes resulting in reductions or increases in distribution of state revenues for education pursuant to RSA 198:41 to school districts which would take effect after the adoption of a new school district budget and would apply in the fiscal year covered by the new budget, the governing body of a school district which uses the official ballot for voting may, after consultation with the budget committee, call a special meeting of the legislative body to consider a reduction, rescission, or increase of appropriations made at an annual meeting. A special meeting under this paragraph shall not be petitioned under RSA 39:3 and no petitioned warrant articles shall be inserted in the warrant. The governing body's warrant shall specify, in one or more articles, the amounts of appropriations proposed for reduction, rescission, or increase from the operating budget or separate warrant articles, or both, adopted at the annual meeting. The governing body of such school district shall post a notice of the meeting, which shall include the warrant, in at least 2 public places within the political subdivision, one of which shall be on the political subdivision's website, if such exists, at least 7 days prior to the meeting. Additional notice shall be published in a newspaper of local or regional circulation in the political subdivision, provided that if there is no newspaper of local or regional circulation in which notice can be published at least 7 days before the date of the meeting, public notice shall be posted in at least one additional place within the political subdivision. The meeting shall be conducted in accordance with the provisions of this chapter. The most recently updated checklist shall be used. The legislative body, after consultation with the budget committee, may approve or disapprove any proposed reduction, rescission, or increase of appropriations, or may approve lesser reductions, but the legislative body shall not approve greater reductions, or reduce or rescind an appropriation not specified in the warrant, or act on any other business at the meeting. The governing body shall hold a public hearing on the proposed reductions, rescissions, or increase at least 14 days prior to the meeting. Notice of the time, place, and subject of such hearing shall be posted in at least 2 public places within the political subdivision, one of which shall be on the political subdivision's website, if such exists, at least 7 days prior to the hearing. The provisions of the following chapters of the RSAs, as they apply to special meetings of the legislative body of a school district shall not be required for special meetings held pursuant to this paragraph: RSA 32, RSA 39, RSA 49-D, RSA 197, RSA 654, RSA 669, RSA 670, and RSA 671.

3 New Section; Cities and Wards; Special Meeting. Amend RSA 44 by inserting after section 10-a the following new section:

44:10-b Special Meeting. In response to statutory changes resulting in reductions or increases in distribution of state revenues for education pursuant to RSA 198:41 to school districts which would take effect after the adoption of a new school district budget and would apply in the fiscal year covered by the new budget, the governing body of a city may call a special meeting of the legislative body to consider a reduction, rescission, or increase of appropriations made at an annual meeting. The legislative body may approve or disapprove any proposed reduction, rescission, or increase of appropriations, or may approve lesser reductions. The governing body shall provide notice and hold a public hearing on the proposed reductions, rescissions, or increase in accordance with local practices and procedures for notice of public hearings.

## AMENDED ANALYSIS

This bill authorizes a city or town to conduct a special meeting necessitated by changes in adequate education funding.

Referred to the Committee on Finance.

**HB 321-FN-L**, requiring proficiency on the statewide assessment for high school graduation. **INEXPEDIENT TO LEGISLATE.**

Rep. Mel Myler for Education: After considering the merits of the bill, the committee felt the bill was not necessary in lieu of the pending change to the common core curriculum to be implemented throughout the state. The common core provides an aligned curriculum with periodic assessments in a student's educational experience. Research indicates that a single "high stake" test does not adequately demonstrate the total academic achievement of a student. Vote 19-0.

**HB 322-FN-L**, requiring proficiency on the statewide assessment for advancement to grades 4 and 8. **INEXPEDIENT TO LEGISLATE.**

Rep. Mel Myler for Education: After considering the merits of the bill, the committee felt the student testing will be amply covered with the implementation of the common core curriculum. The common core provides an aligned curriculum. Throughout the students' educational experience, there is on-going student academic progress assessment that examines both the achievement of content and skill development. Statewide assessment for advancement to grades 4 and 8 is not necessary due to the continuing assessment of students. Vote 17-1.

**HB 324-FN-L**, relative to the school district budget for kindergarten. **INEXPEDIENT TO LEGISLATE.**

Rep. June M. Frazer for Education: This bill would require that "the school board, if the school district is not controlled by the municipal budget act, shall prepare a separate budget for expenses and revenues related to kindergarten for the annual or any special meeting, which shall not be included in the budget required under RSA 197:5-a." Members of the committee saw no need for this change and members familiar with school district budgeting observed that such a procedure would be so complicated as to be all but impossible. Additionally, it would cost money for both school districts and the department of revenue administration, a representative from that department testified. For all these reasons, the committee unanimously voted to find the bill inexpedient to legislate. Vote 18-0.

**HB 519**, requiring the division of higher education to develop a policy on academic credit for a student's military occupation, military training, coursework, and experience. **OUGHT TO PASS.**

Rep. Mel Myler for Education: After reviewing the merits of the proposal, it was recognized that military personnel go through a rigorous education and training in order to perform their duty. This learning and experience should be credited to future higher education endeavors. Vote 18-0.

**HB 537**, establishing a commission to study the feasibility of developing an industrial cooperative program for science, technology, engineering, and manufacturing programs at the university of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith T. Spang for Education: This bill proposes an ambitious program based on one overseen by the sponsor in Massachusetts, designed to enhance high tech education and career readiness for UNH students. The dean of UNH Manchester attested to the university's many similar initiatives to wed course work with work experience at high tech companies, with the ambitious goal of graduating twice as many high-tech students by 2025. The committee felt this bill is unnecessary and would divert time and effort from the University for Little Gain. The UNH administration will continue to work with the sponsor for his input on its on-going programs. Vote 18-0.

**HB 563-FN-L**, relative to tuition and transportation payments for students attending a vocational education program. **INEXPEDIENT TO LEGISLATE.**

Rep. James L. Grenier for Education: This bill was drafted to require all funds for vocational tuition and transportation be used exclusively for the vocational education program. It is often the case that regular and vocational programs overlap and costs are shared. Payments are made from general funds for both programs and partitioning vocational revenues from other funds would not be practical. Schools must have the flexibility to expend funds as needed. Vote 18-0.

**HB 626**, prioritizing school building aid funds for a high school in which accreditation is probationary or has been revoked. **INEXPEDIENT TO LEGISLATE.**

Rep. Rick M. Ladd for Education: Accreditation through the New England Association of schools and colleges should not be used to elevate one school over another in terms of school construction funding. Prioritizing school construction or renovation projects is a decision for DOE, the school building authority and the state board based upon state criteria and conditions identified for funding and not those of another organization such as NEASC. Not all high schools in the state are accredited; this is a local decision, however, the recommendations made by a hand-picked accreditation team, invited by the school to be evaluated, should not be used to circumvent the states prioritization process. Vote 16-2.

**HB 642-FN**, establishing a scholarship program for certain New Hampshire residents interested in attending a postsecondary educational institution in the university system of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Judith T. Spang for Education: This bill would establish a NH scholars program for students pursuing a degree at the university system of NH who have a grade point average of at least 3.0. There is currently no state-funded scholarship program at the university system. Revenue would come from a cigarette tax in excess of \$1.00 over the current tax rates, which would not be assured. The committee was most concerned that all tobacco tax revenues under RSA 198:39, I (a) would be removed from the general education trust fund. This would further reduce funds going to K-12 education, including adequacy funding, kindergarten and charter schools. Vote 17-0.

**HB 148**, relative to electoral college electors. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary Ann Knowles for Election Law: This bill would adopt the interstate agreement to elect the President of the United States by popular vote. States adopting the agreement pledge to award all of their electoral votes to the presidential candidate who receives the greatest number of popular votes in the country. The committee agreed that, under our federal system of government, we are a sovereign state and our voters value their independence and want each of their votes to count. Entering into this compact could also lessen the importance of New Hampshire's esteemed First in the Nation Primary. Vote 17-0.

**HB 206**, relative to political advertising. **OUGHT TO PASS.**

Rep. Mary Ann Knowles for Election Law: This bill modifies restrictions on removal of political advertising. It clarifies the current statute to specify who may remove advertising from private property and adds the specified period of one week after each primary and general election during which the candidate may retrieve signs that have been collected and retained by town maintenance or law enforcement personnel. Vote 17-0.

**HB 308**, relative to technical changes to election laws. **OUGHT TO PASS.**

Rep. Evelyn M. Connor for Election Law: This bill has three purposes: 1. It authorizes city and town clerks to issue copies of the checklist, in addition to the supervisors of the checklist, which offers the public more hours in which to obtain said copies. 2. It requires the printing of the primary election sample ballot to be on tinted paper. This will make the law consistent for both the primary and general election and is the current practice. 3. It clarifies reporting obligations of political committees, so that when political committee expenditures or receipts exceed \$500, the committee must continue reporting through the remainder of the election cycle. Vote 17-0.

**HB 406**, relative to the availability of contribution information in lobbyist statements on the Internet. **INEXPEDIENT TO LEGISLATE.**

Rep. Shawn N. Jasper for Election Law: While the committee agrees with the goal of the legislation, we recognized that there would be a cost associated with that goal and we are not willing to recommend any additional expenditure at this time. The sponsor of the bill spoke with representatives of the secretary of state's office and is satisfied that as time and advancing technology allow, the information which he would like to see on the secretary of state's web site will be posted. In the meantime, all of the information is available for the public review in the office of the secretary of state. Vote 17-0.

**HB 521**, establishing a committee to study New Hampshire election laws and procedures. **OUGHT TO PASS.**

Rep. Mary L. Till for Election Law: This bill will establish a study committee to review election laws and procedures. There are over 200 pages of instructions regarding how to conduct elections.

Over half of the bills before the committee had to do with the conduct of elections. It has been many years since we have taken a comprehensive look at election procedures. This bill will give us the opportunity to streamline, clear up contradictions and perhaps simplify the procedures. Vote 17-0.

**HB 601**, requiring ballot measures to be in plain English. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary L. Till for Election Law: This bill requires ballot measures to be in plain English. The committee is concerned that there is no simple definition of plain English. Currently every effort is made by the secretary of state to be as clear and concise as the ballot measure itself makes possible. The committee takes the position that this bill adds nothing to existing practices. Vote 17-0.

**HB 612**, requiring a disclosure statement by persons seeking a party's nomination for elective office. **INEXPEDIENT TO LEGISLATE.**

Rep. Shawn N. Jasper for Election Law: While the committee is supportive of full disclosure by candidates and office holders, we believe that the declaration of candidacy form is not the proper venue for the disclosures sought in this bill. The bill is unclear as to whether all the disclosures are mandatory or optional, but the plain reading of the bill and the testimony of the sponsor seems to make them mandatory. The bill would require candidates in a primary election to state that they agree with their party platform or point out the areas with which they disagree, something few of us could likely do on any given day. Among other disclosures, it would require candidates to list the clubs and non-governmental or non-profit organizations with which they are, or are likely to become, affiliated. It would also require candidates to agree that they would not vote or participate in matters in which they have a pecuniary interest, something that goes well beyond the requirements of law or ethics guidelines. Vote 17-0.

**HB 319-FN**, relative to benefits for state employees serving in the armed forces. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary S. Nelson for Executive Departments and Administration: This bill, as amended, increases benefits for state employees called to active duty with the New Hampshire National Guard or Navy, Army or Air Force reserve units. It provides that a regular employee of New Hampshire who uses 15 days leave of absence, shall in addition, be entitled to up to 30 days of partial pay as defined in RSA 110-B:37, IV(a)(1) for any additional military drill or training under military authority. It allows a returning service member to use up to 15 days annual leave before returning to work and provides adjustments should inadequate amounts of leave be accrued. The committee was told the associated costs were indeterminable. Vote 18-0.

#### **Amendment (0442h)**

Amend the bill by replacing all after the enacting clause with the following:

1 State Employees. Amend RSA 112:9 to read as follows:

112:9 State Employees.

*I. Any regular employee of the state of New Hampshire who is a member of any reserve component of the armed forces of the United States or of this state shall, upon request, be entitled to not more than 15 days leave of absence with pay in any one training year for the purpose of engaging in military drill, training, or other temporary duty under military or naval authority. The provisions of this section shall not apply to any such employee who has been inducted or has enlisted in active service in the armed forces of the United States.*

*II. Any regular employee of the state of New Hampshire who uses 15 days leave of absence under paragraph I shall, in addition, be entitled to up to 30 days of partial pay, as defined in RSA 110-B:37, IV(a)(1), for any additional military drill or training under military or naval authority.*

2 New Subparagraph; Pay and Allowance. Amend RSA 110-B:37, IV(a) by inserting after subparagraph (3) the following new subparagraph:

(4) Upon the employee's return to New Hampshire after active duty service, he or she may use up to 15 days of annual leave prior to reporting back to work. If an employee does not have adequate annual leave time available, he or she may be charged against future annual leave accruals, or against future compensation, if sufficient leave is not accrued and employment is terminated.

3 Effective Date. This act shall take effect 60 days after its passage.

Referred to the Committee on Finance.

**HB 372**, relative to state agency telecommunications services. **OUGHT TO PASS.**

Rep. Jeffrey P. Goley for Executive Departments and Administration: The state is in the process of moving from the Centrix system of telephone service to a voice over internet protocol or VOIP

system, which will save the state a considerable amount of money. In the transition, the oversight of the new system is going from the department of administrative services to the department of safety. The department of administrative services had been exempt from the rule making process of 541-A in order to write a manual containing comprehensive uniform procedures, practices, instructions and billing processes for the telecommunication service. This bill gives the department of safety the same exemption from 541-A so that it can write a new manual for the new system, as well as revise it from time to time as needed. Vote 16-0.

**HB 395-FN**, relative to the prohibition on the use of state funds to hire lobbyists. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank A. Byron for Executive Departments and Administration: This bill attempts to restrict the recipients of state funds from using the funds, directly or indirectly, to lobby or attempt to influence legislation. Further, the bill would require a 5-year delay in the hiring of any former registered lobbyist. The committee members believed that the bill, as written, was too broad and would potentially impact municipalities' ability to protect their interests and may potentially impact the ability of the governor to make executive appointments. Vote 15-0.

**HB 558**, relative to disclosure of information regarding charitable solicitations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Romeo Danais for Executive Departments and Administration: This bill has to do with reporting the percentage retained by a solicitor for a charitable trust. The bill requires this information to be disclosed in a website directory maintained by the attorney general's (AG) office and be available to the general public at no cost. This information is already being tracked by the AG's office and will not cause any additional cost to the state. Vote 16-1.

#### Amendment (0178h)

Amend the bill by replacing section 1 with the following:

1 Registration Requirements for Paid Solicitor; Disclosure of Funds Required. Amend RSA 7:28-c, VII to read as follows:

VII. Within 90 days after a solicitation campaign has been completed, and on the anniversary of the commencement of a solicitation campaign lasting more than one year, the paid solicitor and the charitable trust shall file with the attorney general a joint financial report for the campaign, including gross revenue and an itemization of all expenses incurred. The report shall be completed on a form prescribed by the attorney general. The report shall be signed by an authorized official of the paid solicitor and an authorized official from the charitable trust, and they shall certify, under oath, that it is true to the best of their knowledge. *The director of charitable trusts shall prepare and make available in a searchable format on the state website the percentage of contributions retained by or paid to the solicitor and the percentage retained by the charitable trust for each solicitation campaign.*

#### AMENDED ANALYSIS

This bill requires the director of charitable trusts to report on the state website the percentage of contributions retained by the solicitor and the percentage retained by the charitable trust for each solicitation campaign.

**HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration. **OUGHT TO PASS.**

Rep. William A. Hatch for Finance: This bill consolidates the property appraisal division with the municipal division of the department of revenue. The consolidation is part of the department of revenue's efforts to improve the operational efficiency in the various divisions. This allows a reduction in the work force of close to twenty positions which in turn means considerable savings. This bill, as amended by amendment 2013-0094h, was voted Ought to Pass by Executive Departments and Administration with a unanimous vote. Vote 25-0.

**HB 254-FN-A**, abolishing certain positions in the liquor commission. **OUGHT TO PASS.**

Rep. Lynne M. Ober for Finance: This bill makes a technical correction to an amendment included in HB 2, Chapter 144, Laws of 2009. It abolishes three duplicative positions in the state liquor commission. As part of the liquor modernization act (included in HB 2, 2009), the three main department heads were converted from classified "chief" to unclassified "director" positions. Due

to turmoil in the commission, it was not until 2012 that the final establishment of the director positions was completed with SB 234, Chapter 226 and the classified positions were maintained in parallel with the unclassified positions. This bill completes the process by abolishing the classified positions. In 2009, an attempt was made to abolish these three positions in one of the amendments to HB 2, but the language was incorrect and the DAS commissioner testified that she was unable to “abolish” the positions until clarifying language clearly stating “abolish” was passed. This bill passed through the policy committee (ED&A) unanimously and was sent to Finance as a second committee. Vote 25-0.

**HB 394-FN**, relative to transfer of funds by the liquor commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lynne M. Ober for Finance: This bill makes a technical correction to an amendment included in HB 2, Chapter 144, Laws of 2009, which resulted in the liquor modernization act. The amendment corrects a drafting error in the original bill. As amended, this bill makes transfers within the liquor commission consistent with established policy by ensuring that the liquor commission must work within the constraints of RSA 9:17-a and RSA 9:17-c. The bill still allows the liquor commission to transfer up to 5 percent of its budget in order to accomplish its mission. It also clarifies what information needs to be provided to the Fiscal committee about any transfers by stating that the purpose of the transfer must be sent to the Fiscal committee when transfers are reported. Vote 25-0.

**Amendment (0216h)**

Amend the bill by replacing section 1 with the following:

1 Liquor Commission Fund Transfers. Amend RSA 176:16, V to read as follows:

V. The commission may transfer funds totaling up to 5 percent of the *commission's* operating budget in any fiscal year for any specific purposes to funds for other purposes within and among the appropriations for the operation of the commission. The commission shall report annually 60 days after the close of each fiscal year to the fiscal committee of the general court all transfers accomplished under the provisions of this section, *including the purpose of each transfer*. The provisions of this section shall not be subject to RSA 9:16-a, *and shall be subject to* RSA 9:17-a[;] and RSA 9:17-c.

**HB 276**, relative to wildlife resistant solid waste storage and disposal. **INEXPEDIENT TO LEGISLATE.**

Rep. Dennis Reed for Fish and Game and Marine Resources: This bill required owners of solid waste containers, which are attracting nuisance wildlife, to store or dispose of such waste in a wildlife resistant manner and would, if passed, put undue expense on the entire state and container suppliers. Vote 14-0.

**HB 304-FN**, relative to OHRV registration transfer fees, removing the penalty of completion of a training program for certain OHRV and snowmobile violations, and deleting OHRV and snowmobile vanity plates or decals. **OUGHT TO PASS.**

Rep. Dennis Reed for Fish and Game and Marine Resources: This bill corrects the designation of a portion of an OHRV registration and deletes the requirement that persons convicted of violating statutes on speed limit, safe speed or decibel limits on noise successfully complete an OHRV or snowmobile training program. The bill also deletes the authorization for OHRV and snowmobile vanity plates or decals. Vote 14-0.

Referred to the Committee on Ways and Means.

**HB 121-FN**, requiring drug testing of applicants for Temporary Assistance to Needy Families (TANF). **INEXPEDIENT TO LEGISLATE.**

Rep. Susan J. Ticehurst for Health, Human Services and Elderly Affairs: This bill denies benefits to TANF applicants who test positive for drug use. The committee voted Inexpedient to Legislate for a number of reasons. The small savings from reducing payments to disqualified parents would be exceeded by reimbursements to qualified parents for testing costs. Legal expenses would be incurred, as the Fourth Amendment prohibits suspicion-less searches of entire groups of citizens such as TANF beneficiaries, whose rates of drug use and abuse are typically no higher than those found in the general population. Applicants would be required to disclose private medical information, while there is no exemption for legal use of prescription drugs. There is no appeal process for false positive test results. Children would particularly be harmed by the reduction in household

resources for basic essentials such as housing, food and transportation. Costs would be shifted to municipalities as parents turn to them for help. Finally, the bill does not meet its goal of offering assistance to people who may be using drugs, since no support is provided for treatment, which may be inaccessible to impoverished parents. This bill benefits neither families nor the state. Vote 16-1.

**HB 293**, relative to the adverse events reporting system. **OUGHT TO PASS WITH AMENDMENT.** Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs: The bill would update the adverse events reporting system by which adverse health care events are reported by hospitals and ambulatory care centers to the commissioner of the department of health and human services. The system would use the national quality forum, a national standard for reporting, as its benchmark. HB 293 allows amendments to the national quality forum to be incorporated by reference. In addition, the bill also outlines reporting requirements for events such as the hepatitis C exposure at Exeter Hospital. The amendment clarifies that such reporting will be based on intentional exposure of another person to a blood borne disease rather than only if there is documented transmission of that illness. Vote 17-0.

#### Amendment (0255h)

Amend RSA 151:38, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) The exposure of a patient to a non-aerosolized bloodborne pathogen by a health care worker's intentional, unsafe act. An act by hospital or ambulatory surgery center staff resulting in an infection or disease shall be considered to be purposefully unsafe if it meets all of the following criteria:

- (1) There was an intentional act or reckless behavior;
- (2) No reasonable person with similar qualifications, training and experience would have acted the same way under similar circumstances; and
- (3) There were no extenuating circumstances that could justify the act.

**HB 417**, establishing a commission to study creating a New Hampshire plan for Alzheimer's disease. **INEXPEDIENT TO LEGISLATE.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: The committee strongly supported the establishment of a study committee on dementia and Alzheimer's disease. This condition represents a significant health issue particularly among the elderly. To expedite this study, the committee recommended that the Health and Human Services Oversight Committee appoint a subcommittee to conduct the study. Subsequently, the Oversight Committee did authorize the formation of the dementia and Alzheimer disease subcommittee and has appointed a chair for the subcommittee. Therefore, this legislation is not needed. Vote 20-0.

**HB 432-FN**, relative to health care costs for county and state inmates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen J. Schmidt for Health, Human Services and Elderly Affairs: Current law establishes reimbursement schedules for hospitals and health care facilities (as defined in the applicable RSA's) providing health inmate care services to a set percentage amount in excess of the standard Medicare reimbursement rate. Presently, most outpatient health care providers are reimbursed at the full rate. This bill allows county and state correction officials to have the opportunity to reduce inmate health care costs by entering into contractual agreements with hospitals and health care providers, as defined. The bill is supported by county and state corrections and unopposed by the NH hospital association. Vote 20-0.

#### Amendment (0324h)

Amend the bill by replacing all after the enacting clause with the following:

1 Medical Services for County Prisoners. Amend RSA 623-C:1, I to read as follows:

I.(a) Except as provided in subparagraphs (b) through [(f), no hospital or emergency room shall charge a county or its agent] (g) *the department of corrections or its agent shall pay health care facilities and hospitals at no more than 110 percent of the Medicare allowable rate for inpatient or emergency room care provided for prisoners in county correctional facilities. In this chapter, "health care facilities" mean ambulatory and specialty-medical services centers licensed under RSA 151, and shall include but not be limited to surgical, rehabilitation, long-term care, oncology, radiology/imaging centers, and dialysis centers, and shall also include physician, nurse practitioner, dental, and allied health care practices, and community health care clinics operating under a licensed healthcare facility.*

(b) *Except as provided in subparagraphs (c) through (e), the department of corrections or its agent shall pay the following providers no more than 125 percent of the Medicare allowable rate for care provided for prisoners in county correctional facilities:*

- (1) *Physicians and surgeons licensed pursuant to RSA 329.*
- (2) *Podiatrists licensed pursuant to RSA 315.*
- (3) *Dentists licensed pursuant to RSA 317-A.*
- (4) *Optometrists licensed pursuant to RSA 327.*
- (5) *Advanced practice registered nurses licensed pursuant to RSA 326-B:18.*
- (6) *Physician assistants licensed pursuant to RSA 328-D.*
- (7) *Physical therapists licensed pursuant to RSA 328-A.*
- (8) *Athletic trainers licensed pursuant to RSA 326-G.*
- (9) *Occupational therapists licensed pursuant to RSA 326-C.*
- (10) *Speech and language pathologists licensed pursuant to RSA 326-F.*
- (11) *Respiratory therapists licensed pursuant to RSA 326-E.*
- (12) *Recreational therapists licensed pursuant to RSA 326-J.*
- (13) *Dietitians licensed pursuant to RSA 326-H.*
- (14) *Audiologists licensed pursuant to RSA 137-F.*
- (15) *Pharmacies licensed pursuant to RSA 318.*
- (16) *Durable medical equipment providers.*

(c) Allowances provided by hospitals shall qualify as community benefits under RSA 7:32-d,

III(b).

[(e)] (d) Hospitals reported by the department of health and human services as having a negative operating margin in the most recent year for which hospital-audited financial data is available shall charge no more than 125 percent of the Medicare rate.

[(d)] (e) *Nothing in this section shall preclude the superintendent of a county correctional facility from negotiating and executing medical service rate agreements with hospitals, health care facilities, or other licensed medical providers for the provision of medical or dental services to prisoners at the lowest rate possible, or from utilizing rates in existing agreements.*

(f) The superintendent of a county correctional facility may waive the application of subparagraph (a) if the superintendent determines such action is necessary to ensure prisoner access to medically necessary care.

~~[(e)] The superintendent of a county correctional facility may waive the application of subparagraph (a) if the superintendent determines such action to be necessary for the efficient operations of the county correctional facility.~~

~~[(f)] Nothing in this paragraph shall require a hospital to admit any person]~~

~~(g) The superintendent of a county correctional facility may waive the application of subparagraph (a) if the superintendent determines such action to be necessary for the efficient operations of the county correctional facility.~~

~~(h) The superintendent of a county correctional facility may at any time audit any claim or seek clarification on any payment made pursuant to this section, or both. Upon request by the superintendent, the provider shall furnish information on pricing methodology and shall detail any internal process controls for ensuring accurate pricing of claims processed under this section. Claim information shall be provided in the industry standard format, including but not limited to the application of global surgery provisions, billing for surgical assistants, and bundling.~~

2 Medical Services for State Prisoners. Amend RSA 623-C:2, I to read as follows:

I. (a) Except as provided in subparagraphs (b) through [(d)] (f), the department of corrections or its agent shall pay health care facilities and hospitals **at no more than** 110 percent of the Medicare allowable rate for inpatient, outpatient, or emergency room care provided for prisoners in state correctional facilities. In this chapter, "health care facilities" mean ambulatory and specialty-medical services centers licensed under RSA 151, and shall include but not be limited to surgical, rehabilitation, long term *care*, oncology, *radiology/imaging centers*, and dialysis centers, ~~[but shall not]~~ **and shall also** include physician ~~[practices and community health care clinics]~~, **nurse practitioner, dental, and allied health care practices, and community health care clinics operating under a licensed healthcare facility.**

(b) *Except as provided in subparagraphs (c) through (e), the department of corrections or its agent shall pay the following providers no more than 125 percent of the Medicare allowable rate for care provided for prisoners in state correctional facilities:*



- (1) *Physicians and surgeons licensed pursuant to RSA 329.*
- (2) *Podiatrists licensed pursuant to RSA 315.*
- (3) *Dentists licensed pursuant to RSA 317-A.*
- (4) *Optometrists licensed pursuant to RSA 327.*
- (5) *Advanced practice registered nurses licensed pursuant to RSA 326-B:18.*
- (6) *Physician assistants licensed pursuant to RSA 328-D.*
- (7) *Physical therapists licensed pursuant to RSA 328-A.*
- (8) *Athletic trainers licensed pursuant to RSA 326-G.*
- (9) *Occupational therapists licensed pursuant to RSA 326-C.*
- (10) *Speech and language pathologists licensed pursuant to RSA 326-F.*
- (11) *Respiratory therapists licensed pursuant to RSA 326-E.*
- (12) *Recreational therapists licensed pursuant to RSA 326-J.*
- (13) *Dietitians licensed pursuant to RSA 326-H.*
- (14) *Audiologists licensed pursuant to RSA 137-F.*
- (15) *Pharmacies licensed pursuant to RSA 318.*
- (16) *Durable medical equipment providers.*

(c) Allowances provided by hospitals shall qualify as community benefits under RSA 7:32-d,

III(b).

*(d) Hospitals reported by the department of health and human services as having a negative operating margin in the most recent year for which hospital-audited financial data is available shall charge no more than 125 percent of the Medicare rate.*

[(e)] (e) The commissioner of the department of corrections may waive the application of subparagraph (a) if the commissioner determines such action is necessary to ensure prisoner access to medically necessary care.

[(f)] (f) The commissioner of the department of corrections may waive the application of subparagraph (a) if the commissioner determines such action to be necessary for the efficient operations of the state correctional facility.

*(g) The commissioner of the department of corrections may at any time audit any claim or seek clarification on any payment made pursuant to this section, or both. Upon request by the commissioner, the provider shall furnish information on pricing methodology and shall detail any internal process controls for ensuring accurate pricing of claims processed under this section. Claim information shall be provided in the industry standard format, including but not limited to the application of global surgery provisions, billing for surgical assistants, and bundling.*

3 Effective Date. This act shall take effect July 1, 2013.

Referred to the Committee on Finance.

**HB 228**, relative to insurance fraud. **OUGHT TO PASS.**

Rep. Frank H. Heffron for Judiciary: This bill, requested by the insurance department, establishes venue for offenses relating to insurance fraud. It provides that in any prosecution for such offenses, the offense shall be deemed to have been committed in any of six different locations, including the county or judicial district in which any element of the offense was committed, or in which the insurance policy provides coverage, or in which money was received for the fraudulent act. The committee concluded that this is necessary because an offender, for example, may be located in one place and mail fraudulent documents from another place in regard to insured property in yet another. Vote 16-1.

**HB 413**, making relinquishment or abandonment of leased premises a defense for landlords. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David Woodbury for Judiciary: This bill, as amended, gives landlords an alternative to an unnecessary eviction procedure when a tenant relinquishes or abandons a leased premise. If the circumstances of a tenant's departure meet the requirements of this bill, a landlord has a defense to a lawsuit for an illegal eviction if such should be filed by the tenant at a later date. Vote 19-0.

#### **Amendment (0345h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to property abandoned by tenants.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Landlord Defense; Property Relinquished or Abandoned by Tenant. Amend RSA 540-A:4 by inserting after paragraph XI the following new paragraph:

XII. Relinquishment of possession or abandonment of possession shall be an affirmative defense to an action brought pursuant to this chapter.

(a) Relinquishment of possession occurs when the landlord receives a statement signed by each adult tenant of a rented or leased premises stating that the tenant has relinquished possession of the rented or leased premises and has no intent to return.

(b) Abandonment of possession means all tenants have physically vacated the premises without the intent to return. There shall be a rebuttable presumption that the tenants have abandoned the premises if:

(1) The landlord provided all tenants with a written property abandonment notice, by leaving the notice at the rented or leased premises and by sending the notice by certified mail to the last known address of at least one adult tenant. The property abandonment notice shall also comply with subparagraph (d); and

(2) At least 2 of the following conditions were present:

(A) All adult tenants of the rented or leased premises have notified the landlord in writing of their intent to vacate the premises by a certain date and that date has passed, provided that the written notice of one adult tenant who has lawful possession to the premises pursuant to an order under RSA 173-B shall suffice.

(B) All keys to the rented or leased premises have been returned to the landlord, which shall include leaving all keys in the rented or leased premises.

(C) The tenant or tenants have removed from the rented or leased premises all or the majority of their personal property, and the only items remaining in the premises are inconsistent with the intended use of the premises.

(D) The tenant or tenants have failed or neglected to pay rent for the rented or leased premises for a period of more than 91 days, provided that during those 91 days the landlord, if requested to do so, provided ordinary and reasonable verification of rental information to any agency assisting the tenant or tenants, and that the landlord did not refuse to accept payment on behalf of the tenant or tenants by any agency offering assistance.

(c) The defense of abandonment does not abrogate the landlord's duty under RSA 540-A:3, VII to maintain and exercise reasonable care in the storage of the personal property of tenants who have vacated the premises for a period of 7 days after the date upon which such tenants have vacated the rented or leased premises. The 7 days shall begin the day after the landlord serves the written property abandonment notice.

(d) In providing the property abandonment notice required under subparagraph (b), the landlord shall use conspicuous language identifying, with specificity, the reasons the landlord deems the property abandoned. The notice shall also advise the tenant or tenants of their right to retrieve any personal property as well as their right to file an action under RSA 540-A. The notice must be signed by the landlord, or the landlord's agent. The use of the following notice language, in at least 12-point type, shall be deemed sufficient notice language:

#### NOTICE OF PROPERTY ABANDONMENT

This residence, known as \_\_\_\_\_, has been abandoned. I certify that, on this date, the property is believed to have been abandoned for the following circled reasons:

- 1.) You notified me in writing that you intended to vacate the premises;
- 2.) You have returned your keys to the premises;
- 3.) You have removed from the premises all or the majority of your personal property, and the only items remaining in the premises are inconsistent with the intended use of the property;
- 4.) You have failed or neglected to pay rent for the premises for a period of more than 91 days.

Because you have abandoned the premises, we will retake possession of this property and the locks may be changed. We will store your personal property for 7 days, and you have a right to get your personal property during that time.

If you disagree with any action we take, you should notify us immediately. You are also entitled to file what is called a "540-A petition" at your nearest court. You may have other additional legal rights as well.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Landlord's or Landlord's Agent's Mailing Address: \_\_\_\_\_

Landlord's or Landlord's Agent's Telephone Number: \_\_\_\_\_

2 New Subparagraph; Prohibited Practices; Remedies; Unlawful Dispossession. Amend RSA 540-A:4, IX by inserting after subparagraph (c) the following new subparagraph:

(d) Landlord damages for any unlawful dispossession or lock-out of a tenant from the premises where the landlord has re-let the premises or has a new tenant in the premises shall not be less than \$3,000. In the event the damages exceed the \$3,000 minimum, the award shall not exceed the amount that would have been awarded pursuant to subparagraph (a).

3 Effective Date. This act shall take effect January 1, 2014.

#### AMENDED ANALYSIS

This bill provides that, under certain circumstances and if the landlord has provided the tenant with a notice of property abandonment, the landlord may assert that tenant has relinquished possession or abandoned the premises.

**HB 426**, relative to payment of costs and fees in guardianship cases. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank H. Heffron for Judiciary: This bill relates to payment of costs and fees in guardianship cases. The bill, as introduced, provides that in certain cases, fees for counsel for the petitioner, as well as for counsel for the proposed ward, should be borne by the proposed ward. The committee approved an amendment proposed by the court administration providing that fees for counsel for the petitioner should be borne by the proposed ward only if the court has granted the petition to establish a guardianship; the awarding of costs, expenses and fees from the assets of the ward will not cause undue hardship to the ward and the costs, expenses and fees are reasonable and necessary. The committee concluded that the bill, as amended, sets appropriate standards for the award of costs, expenses and counsel fees of the petitioner from the assets of the proposed ward. Vote 18-0.

#### Amendment (0410h)

Amend the bill by replacing section 1 with the following:

1 Guardianship Cases; Costs and Fees. RSA 464-A:43, I and II are repealed and reenacted to read as follows:

I. Except in cases in which the petitioner filed the petition in bad faith, the court costs, expenses, and fees for counsel for the proposed ward and any resource person shall be borne by the proposed ward. In cases in which the petitioner acted in bad faith, the petitioner shall bear all such costs, expenses, and fees of the proceeding. The court may allow for payment of the costs, expenses, and fees of counsel for the petitioner from the assets of the ward, provided:

(a) The court has granted the petition to establish the guardianship;

(b) The awarding of costs, expenses, and legal fees from the assets of the ward will not cause undue financial hardship to the ward; and

(c) The costs, expenses, and legal fees incurred are reasonable and were necessary to protect the health, safety, welfare, or other personal; property, or financial interests of the ward or the ward's estate.

II. If the proposed ward is indigent, the costs, expenses, and legal fees for counsel for the proposed ward and any resource person incurred that are related to the petition for guardianship proceeding shall be borne by the state.

#### AMENDED ANALYSIS

This bill establishes criteria for payment of certain fees and court costs in guardianship cases.

**HB 440**, relative to new hire reports to the department of employment security. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kevin P. St. James for Labor, Industrial and Rehabilitative Services: This bill, as amended, is a request of the department of employment security (DES). It brings New Hampshire in compliance with the unemployment compensation integrity act of 2011 by requiring New Hampshire employers to report to the department as "new hires" (1.) Individuals whom they have previously terminated from employment and who have come back to work for them after more than 60 consecutive calendar days; and (2.) individuals with whom they had previously contracted for services for a fee exceeding \$2,500 and with whom they are again contracting for such services after a separation of more than 60 consecutive calendar days. Vote 13-1.

#### Amendment (0397h)

Amend the bill by replacing section 2 with the following:

2 New Hire Reports. Amend RSA 282-A:117-a, XV(a)-(e) to read as follows:

(a) ~~Was permanently laid off;~~

(b) ~~Was terminated from employment;~~

(c) ~~Had a break in service of more than 26 consecutive weeks;~~ *Was previously employed by the employing unit but has been separated from prior employment for at least 60 consecutive calendar days.*

~~[(d) Had a break in service due to a seasonal layoff of more than 10 consecutive weeks if, as of the commencement of the break in service, the rehiring employer was under an order to withhold child support from the individual's wages;~~

(e)] (b) Was required to complete a W-4 form due to a previous work separation.

**HB 555**, relative to the content of fiscal notes for bills. **INEXPEDIENT TO LEGISLATE.**

Rep. Joel F. Winters for Legislative Administration: This bill would require the Legislative Budget Assistant to prepare expanded fiscal notes, analyzing the legislation's costs and benefits, effects on businesses and other economic impacts. While the committee appreciated the sponsors' intent in seeking more information for legislation and considered scaled back versions, we ultimately felt it would not be practical to put the additional analysis together in a timely manner. Vote 12-0.

**HB 613-FN**, relative to procedures and authority for the redress of grievances. **INEXPEDIENT TO LEGISLATE.**

Rep. Joel F. Winters for Legislative Administration: This bill would statutorily create a redress of grievances committee in the legislature with a wide range of powers, including overturning actions by government agencies, awarding restitution from the treasury, initiating removal proceedings against judges and attorneys and forcing state agencies to change their policies or even recommending their dissolution. The committee felt this amount of power in the hands of a legislative committee was inappropriate. Vote 12-0.

**HB 667-FN-A**, establishing a temporary surcharge to the road toll to be dedicated to funding the state 10-year transportation improvement plan for rural and town roads. **INEXPEDIENT TO LEGISLATE.**

Rep. John R. Cloutier for Public Works and Highways: The committee is very grateful to the sponsor for his recognition of the need to fix our roads, bridges and his willingness to introduce a bill to address the problem. However, the committee believes that the issue is more comprehensively addressed in House Bill 617. Vote 16-0.

**HB 428**, relative to funds for dam maintenance, removal and improvement. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne J. Smith for Resources, Recreation and Development: This bill allows municipalities to apply to the dam maintenance revolving loan fund. Presently, only privately owned dams are eligible to apply to the fund for loans. Municipalities own 358 of the active dams in this state and many of these dams are in need of repair or have outlived their purpose. HB 428 provides low-cost loans which can be used to maintain, repair, improve or remove a dam. The amendment assures that if a borrower defaults on the loan that the state is not liable for taking on ownership and responsibility for the dam. Vote 19-1.

#### **Amendment (0401h)**

Amend RSA 482:55-a, II as inserted by section 1 of the bill by replacing it with the following:

II. The department shall establish rules for the fund including the application process, criteria for award, the procedure for making loans, the interest rate to be applied, the maximum loan amount, the time frame for repayment, *actions to be taken in the event of a default on a loan*, and oversight of the administration of the fund. In providing loans, the department shall evaluate the risk posed by the dam, the public benefit of the dam, the private benefit of the dam to lakefront owners, *the ecological impacts of the dam*, [and] the potential for [their contribution] *contributions* to needed maintenance, repair, or reconstruction, the financial resources of the applicant, and the relative cost of maintaining, repairing, or [reconstructing] *improving* the dam as compared to removing or breaching the dam.

**HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Leon H. Rideout for State-Federal Relations and Veterans Affairs: The major thrust of this bill is to enable the adjutant general to accept federal funds as they become available in order to

improve both state and federal facilities. In the past, money has been returned because the state has not been able to react in a timely manner. This bill also cleans up language in the scholarship program and clarifies not extending pay and benefits to non active duty personnel. Adjutant general supports this bill and there was no opposition testimony heard. Vote 13-0.

#### **Amendment (0475h)**

Amend RSA 110-B:28, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The adjutant general may cooperate with and enter into *contracts or* agreements with the federal government, or any agency thereof, as he or she deems desirable to secure the participation of the United States government, through the allotment of federal funds, in the costs of constructing, enlarging, or altering armories or other [military] facilities. *The adjutant general may authorize the federal government to perform contracting for construction, modifications, or improvements to state owned facilities or land, subject to the approval of the New Hampshire department of justice. The adjutant general may adopt procedures relative to this section to ensure the best interest of the federal and state of New Hampshire governments and the national guard.*

Referred to the Committee on Public Works and Highways.

**HCR 1**, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert L. Theberge for State-Federal Relations and Veterans Affairs: A similar resolution was passed by the legislature in 2010 to meet the medical needs of our veterans who deserve a full-fledged VA Hospital and specialty clinics. This legislation ensures that the needs of our veterans are met and recommends that New Hampshire have a pilot program whereby each veteran would be issued a medical card to be used in all hospitals, clinics and any medical facility throughout the state. Vote 10-0.

#### **Amendment (0264h)**

Amend the resolution by replacing the seventh clause after the title with the following:

Whereas, New Hampshire is one of only 2 states in the nation without a full-service hospital, requiring veterans to travel to Vermont, Massachusetts, Maine, and Rhode Island for medical treatment; and

Amend the resolution by replacing the first paragraph after the resolving clause with the following:

That the New Hampshire legislature respectfully urges the Congress of the United States and the Department of Veterans Affairs to fulfill the Department's goal of providing excellence in patient care by increasing the types of and access to specialty care at a full service VA Manchester Medical Center, or by developing a pilot program to utilize a veteran's medical card for use in New Hampshire's medical facilities in order to provide better care to veterans residing in rural areas, or by the establishment of additional community based outpatient clinics, outpatient clinics, or vet centers as justified by veterans' medical and mental health needs along with greater use of mobile clinics, and where cost effective, enter into contract services with the goal of increasing services and reducing travel time to ensure access to health care is available when it is needed;

**HB 282**, relative to mixed use school buses and relative to licensing and criminal records of driver education instructors. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sherman A. Packard for Transportation: This bill, as amended, adds sport utility vehicles to the definition of mixed school bus use. It also allows the department of safety to require a criminal record check for every applicant of an initial driver education instructor certificate. The amendment states that a condition for employment at the department of safety may be required to submit to a background investigation and a criminal history records check. Vote 14-0.

#### **Amendment (0209h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to mixed use school buses, relative to licensing and criminal records of driver education instructors, and relative to background checks for department of safety employees.

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 New Section; Department of Safety; Employee Candidate Background Checks. Amend RSA 21-P by inserting after section 15-b the following new section:

**21-P:15-c Employee Candidate Background Checks.**

I. The commissioner may require a background investigation and a criminal history records check on any candidate for employment or promotion prior to a final offer of employment. The commissioner may request only a state records check or both a federal and state records check, to be conducted through the division of state police. The department may extend a conditional offer of employment to a candidate, with a final offer of employment subject to a successfully completed criminal history records check.

II. A candidate for employment in a position which the commissioner determines requires a background investigation and a criminal history records check shall submit to the department a notarized criminal history records release form, as provided by the division of state police, which authorizes the release of the person's criminal records, if any. The candidate shall submit with the release form a complete set of fingerprints taken by a law enforcement agency as directed by the commissioner. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where a candidate has lived during the past 5 years.

III. To obtain a state records check only, the department shall submit a state criminal history records release form to the division of state police. To obtain both the federal and the state records check, the department shall submit the criminal history records release form and applicant fingerprint card to the division of state police, which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of state police shall report any criminal conviction information to the commissioner. The department may submit fingerprint information electronically, in accordance with procedures established by the division of state police. The department shall maintain the confidentiality and security of all criminal history records information received pursuant to this paragraph.

IV. In this section, "candidate for employment" shall include candidates for contract positions, volunteers, or interns.

### AMENDED ANALYSIS

This bill modifies the definition of mixed use school bus, requires criminal records checks of driver education instructors, updates references relating to suspending or revoking a school license or driver education certificate, and authorizes background checks on candidates for employment or promotion at the department of safety.

This bill was requested by the department of safety.

**HB 332-FN-A-L**, relative to antique vessel registration. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy A. Soucy for Transportation: The passage of this bill would negatively impact the federal coast guard recreational boating safety grant that provides almost half the funding for the marine patrol and could jeopardize the eligibility for the grant which brings in more than \$1 million dollars a year. Vote 12-0.

**HB 383**, relative to operation of OHRVs on the traveled portion of public highways, where permitted. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael B. O'Brien for Transportation: This bill will require a OHRV operator, who is not licensed to drive, and a youth operator to be in the company of an operator 18 years or older and responsible and liable, according to the law, for the personal injury or property damage to others which may result from such operation by an unlicensed person. The amendment replaces the bill. Vote 14-1.

### Amendment (0380h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; OHRV Operation on Traveled Portion of Public Highway. Amend RSA 215-A:29 by inserting after paragraph I the following new paragraph:

I-a.(a) Any person operating an OHRV along the traveled portion of a public highway, where permitted, shall be required to be licensed to drive as described in subparagraph I(b)(2); or

(b) Any person operating an OHRV along the traveled portion of a public highway, where permitted, who is not licensed to drive as described in subparagraph I(b)(2) shall be accompanied at all times by a person who is licensed to drive as described in subparagraph I(b)(2), who is at least 18 years of age, and who shall be legally responsible and be liable according to the law for personal injury or property damage to others which may result from such operation by an unlicensed person.

(c) This paragraph shall not apply to road crossings or the use of class VI highways designated as trails pursuant to RSA 215-A:6.

2 Effective Date. This act shall take effect 60 days after its passage.

**HB 444**, establishing a committee to study the use of autonomous vehicles in New Hampshire. **OUGHT TO PASS.**

Rep. Tim O'Flaherty for Transportation: Autonomous vehicles have enormous potential to provide transportation for elderly and disabled drivers as well as provide a low cost transportation option for those currently without a vehicle. In addition to these potential benefits, autonomous vehicles may be the single best way to reduce automobile casualties. This bill would form a study committee, at no expense to the state, to examine in what areas the state may assist deployment of autonomous vehicles by defining a legal framework for them to operate in New Hampshire. Vote 14-1.

**HB 500**, requiring the department of safety to maintain a division of motor vehicles driver licensing and registration office in Belknap county. **INEXPEDIENT TO LEGISLATE.**

Rep. Michael B. O'Brien for Transportation: The committee feels it is not appropriate to mandate the department of safety to open an office in Belknap County. However, to provide an office for the area, the committee recommends the finance committee review the matter with the DOS to see if the needs of Belknap County can be met in the budget. Vote 16-0.

**HB 488-FN**, changing the definition of "cigarette" under the tobacco tax to match the definition of "cigarette" under the Master Settlement Agreement. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas C. Schamberg for Ways and Means: This brings the definition of "cigarette" in conformity with RSA 541-C:2, IV, to ensure diligent enforcement of the Master Settlement Agreement RSA 541-C and RSA 541-D and that we will continue to bring in \$42M a year under the MSA. The assistant attorney general stated failure to pass this bill will put annual payments in jeopardy, and agreed to the amendment. Vote 18-0.

**Amendment (0339h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Tobacco Tax; Definition of Cigarette. RSA 78:1, XVII is repealed and reenacted to read as follows:

XVII.(a) In conformity with RSA 451-C:2, IV, "cigarette" means any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and consists of or contains:

(1) Any roll of tobacco wrapped in paper or in any substance not containing tobacco; or

(2) Tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette; or

(3) Any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subparagraph (a)(1).

(b) The term "cigarette" includes "roll-your-own" (i.e., any tobacco which, because of its appearance, type, packaging, or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes). For purposes of this definition of "cigarette," 0.09 ounces of "roll-your-own" tobacco shall constitute one individual "cigarette."

2 Effective Date. This act shall take effect upon its passage.

**HB 520**, establishing a committee to study implementing Keno in New Hampshire. **OUGHT TO PASS.**

Rep. David W. Hess for Ways and Means: This bill establishes a joint legislative committee to study the implementation of Keno. Keno is a form of gambling which is quite different from the lottery, charitable gambling and casino gambling. It has not been independently analyzed and studied by any

state committee or commission in recent history, if at all. The committee voted to establish the study committee rather than consider the prime sponsor's proposed amendment which would have established Keno without any study. This bill was requested by the state lottery commission. Vote 17-1.

### REGULAR CALENDAR – PART I

***SB 115***, naming a bridge in the town of Whitefield. **OUGHT TO PASS.**

Rep. Gene G. Chandler for Public Works and Highways: This bill names a bridge over the Johns River in Whitefield after the Burns family, a family of long standing in the town of Whitefield. Starting with Major John Burns back in the 1770's, one of the original organizers and most active among the pioneers of the town, through House Speaker and State Senator Harold Burns and other distinguished members of the family. The Burns family has a long history of community service to Whitefield, the North Country and the State of New Hampshire. Vote 17-0.

Rep. Jasper spoke in favor.

Committee report adopted and ordered to third reading.

### MOTION TO PRINT REMARKS

Rep. Gary Richardson moved that the remarks made by Rep. Jasper be printed in the Permanent Journal.

Adopted.

### REMARKS

**Rep. Jasper:** Thank you, Madam Speaker. I rise in support of the bill. I wasn't expecting to speak today and I wished that I had planned to so that I could have a few more of my facts in line here so please bear with me if I speak in error on a few things. Obviously from the blurb, you know that the Burns family has been in Whitefield since about 1770. This bill honors the family, but I think more specifically, the former Speaker of this House, Harold Burns, who I had the distinct pleasure of serving under both as his Assistant Majority Leader and as his Majority Whip. Harold is a true gentleman in every sense of the word. In the time that I served with him, I never saw an indication of partisanship in his role as Speaker. I saw him truly presiding over the House in a manner that was as fair as he could possibly make it. He treated every member with respect. He listened to what every person had to say. As a member of his leadership team, I was very impressed by the fact that when the leadership team got together, the Speaker did not speak to his position first, he listened to what everyone had to say and then after taking that in, made his decision, as a Speaker should. He served three terms as Speaker of this House, but he served many terms representing Whitefield before he came to that position. My coming into his leadership team was really a real surprise to me. I supported Donna Sytek in that race and certainly had no expectation of being part of that team at that time and I bring that all up only to show you that he did in fact include people and that I was brought into that level at that time. There was Caroline Gross as his Majority Leader, the lady whose picture hangs on the wall behind us. So, he has served his community, he served the House as his family has for well over 200 years, which is certainly an impressive record for any family. Harold served as a long-time moderator in the Town of Whitefield and came back after leaving the House to serve as State Senator. Any of you that go down to Eastern State's Exposition are likely to see him serving maple syrup in the NH building. He is a true son of New Hampshire, a true gentleman and he was a true statesman in this House and in the Senate and I would hope that we unanimously pass this bill and show him and his family the recognition that he and the generations of the Burns family so justly deserve.

### IMMEDIATE THIRD READING

Rep. Shurtleff moved that ***SB 115***, naming a bridge in the town of Whitefield, be ordered to third reading and final passage at the present time.

Adopted.

### Third reading and final passage

***SB 115***, naming a bridge in the town of Whitefield.

### REGULAR CALENDAR – PART I (CONT'D)

***HB 260-FN***, relative to voluntary services provided by the department of health and human services to children in need. **OUGHT TO PASS WITH AMENDMENT.**



Rep. Patrick T. Long for Children and Family Law: This bill, as amended, addresses the needs expressed by police and school districts throughout the state. It creates a broad voluntary CHINS (children in need) program. It also requires that appropriate voluntary services have been attempted and were unsuccessful prior to the petition being filed. The amendment replaces the entire bill. Vote 19-0.

#### **Amendment (0447h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to voluntary services provided to children in need under RSA 169-D.

Amend the bill by replacing all after the enacting clause with the following:

1 Children in Need of Services; Applicability of Chapter. RSA 169-D:1, IV and V are repealed and reenacted to read as follows:

IV. To protect the integrity of the family by authorizing adjudication and the imposition of dispositional judgment requiring participation in a plan of services only after appropriate voluntary alternatives have been unsuccessful; and

V. When appropriate voluntary service options have been unsuccessful, to provide effective judicial procedures through which family service plans are executed and enforced, and which assure the parties fair hearings at which their constitutional and other rights as citizens are recognized and protected.

2 Definition of Child in Need of Services. RSA 169-D:2, II is repealed and reenacted to read as follows:

II. "Child in need of services" means a child under the age of 18 who is:

(a) Subject to compulsory school attendance, and who is habitually, willfully, and without good and sufficient cause, truant from school; or

(b) A child who habitually runs away from home or who repeatedly disregards the reasonable and lawful commands of his or her parents, guardian, or custodian and places himself or herself or others in unsafe circumstances; or

(c) Is diagnosed with a severe emotional, cognitive, or other mental health issue and engages in aggressive, fire-setting, or sexualized behaviors that pose a danger to the child or others; and

(d) Is expressly found to be in need of care, guidance, counseling, discipline, supervision, treatment, or rehabilitation.

3 New Paragraph; Definition Added. Amend RSA 169-D:2 by inserting after paragraph XIII the following new paragraph:

XIV. "Truant" means a child between the ages of 6 and 18 years who is either not attending school as required by law or who is not participating in an alternative learning plan under RSA 193:1. "Truancy" shall have the same meaning as in RSA 189:35-a.

4 Petition. Amend RSA 169-D:5, I to read as follows:

I. A petition alleging a child is in need of services may~~[-with the consent of the department,]~~ be filed by a parent, legal guardian or custodian, school official, or law enforcement officer with a judge or clerk of the court in the judicial district in which the child is found or resides. The petition shall be in writing and verified under oath. The following notice shall be printed on the front of the petition in bold in no smaller than 14 point font size: "See back for important information and financial obligations." The back of the petition shall include a notice of liability for parents and other individuals chargeable by law for the child's support and necessities.

5 New Paragraph; Petition. Amend RSA 169-D:5 by inserting after paragraph II the following new paragraph:

II-a. Any petition filed shall include language demonstrating that appropriate voluntary services have been attempted, the nature of voluntary services attempted, and the reason court compulsion is necessary. If, upon review of the petition, the court is not satisfied that the petition includes sufficient information to find that appropriate voluntary services were attempted and unsuccessful, the court shall, prior to scheduling the child's initial appearance, refer the petition to the department, which shall proceed pursuant to RSA 169-D:9.

6 New Section; Voluntary Services. Amend RSA 169-D by inserting after section 5-b the following new section:

169-D:5-c Voluntary Services. The department may offer the child and family, on a voluntary basis, any services permitted under RSA 169-D:17.

7 Issuance of Summons and Notice. RSA 169-D:6, I is repealed and reenacted to read as follows:

I.(a) After a legally sufficient petition has been filed, unless the case is referred to the department pursuant to RSA 169-D:5 or a consent order is entered and approved, the court shall schedule an initial appearance and issue a summons, including a copy of the petition, to be served personally upon the person having custody or control of the child or with whom the child may be, requiring that person to appear with the child on the specified date and time. Refusal of the child to participate in the development of a voluntary service plan may constitute sufficient information that voluntary service and support options have been unsuccessful.

(b) If personal service is not possible, service shall occur at the usual place of abode of the person having custody or control of the child or with whom the child may be, requiring that person to appear with the child at a specified place and time which time shall not be less than 24 hours after service. If the person so notified is not the parent or guardian of the child, then a parent or guardian shall be notified, provided they and their residence are known.

8 Diversion and Pre-adjudicatory Procedure. RSA 169-D:9 is repealed and reenacted to read as follows:

169-D:9 Pre-adjudicatory Procedure.

I. Except in emergencies, the department, its agent, or any person or agency it designates shall determine what voluntary service options are available to the child and family. To achieve this purpose, the department may designate a multi-disciplinary team to consider the facts and circumstances of the case, the needs of the child and family, and available diversion programs, services, and resources. This conference shall be attended by the child, if appropriate, his or her parents, legal guardians or custodians, and representatives of any public institution or agency having legal responsibility over the child, and may be attended by parties invited by the family and representatives of any public or private institutions or agencies having discretionary ability to coordinate and/or supply services to the child or family. If the child does not attend a multi-disciplinary conference, an appropriate individual shall be designated to solicit the child's input and help the child understand available service options and supports.

II. If available, a multi-disciplinary conference may be held at any time before or after a petition is filed but shall be held before the child's initial appearance pursuant to RSA 169-D:11.

III. At any time before or after a petition is filed, the child, his or her caretakers, and the department may effect an individualized voluntary family services plan, which shall include:

(a) Identification of the conduct of the child, caretaker, or any family member which is causing harm to the child.

(b) A description of the services that are needed for the child, the child's caretakers, or other family members, the availability of such services within the community, and a plan for ensuring that any such services that are available will be secured and provided.

(c) The name of the person within the affected public service agency who is directly responsible for assuring that the voluntary family services plan is implemented.

(d) An estimate of the time anticipated to be necessary to accomplish the goals set out in the plan.

(e) Any other provisions deemed appropriate by the parties.

IV. A voluntary family services plan shall set forth in writing the terms and conditions agreed to by the child, the child's caretaker, and all parties responsible for implementation of the voluntary services plan. A written copy of the plan shall be submitted to each party or person responsible for implementation of the plan.

V. A voluntary services plan may be amended by agreement of the parties at any time. If a petition has been filed, the amended plan shall be submitted to the court.

VI. If a petition has been filed, the voluntary family services plan shall be submitted to the court. A voluntary services plan shall stay the proceedings for a period not to exceed 90 days from the date of implementation, unless the parties agree, in writing, to an extension for additional periods not to exceed 90 days. If the parties determine services are necessary for longer than 180 days, the department shall submit a report to the court which outlines the progress that has been achieved during the duration of services and explains why continued services are necessary. Such reports shall be filed every 180 days until voluntary services are discontinued. If, upon reviewing the report, the court questions the need for continued services, it shall schedule a show cause hearing, at which the child, if appropriate, the child's parent or caretaker, and the department shall appear.

VII. When the petitioning person or agency, the court, the department, or a member of the multi-disciplinary team suspects that a child has a disability, an administrator at the responsible school district shall be notified. If appropriate, the school district shall refer the child for evaluation to determine if the child is in need of special education and related services.

VIII. A voluntary family services plan shall not be considered an adjudicatory hearing pursuant to RSA 169-B or 169-D, or a criminal trial. Evidence of the existence of such agreement shall not be used against the child over objection in any juvenile adjudicatory hearing or criminal trial.

IX. Any incriminating statement made by the child during discussions or conferences incident to the voluntary family services plan shall not be used against the child, over objection, in adjudicatory hearing pursuant to RSA 169-B or 169-D, or a criminal trial. Any such statement may be reported as the basis for a referral to the department pursuant to RSA 169-C, if there is reasonable basis to believe that a child's physical or mental health or welfare is endangered by abuse or neglect.

X. A voluntary family services plan suspends the proceedings on the petition. If the child satisfies the terms of the voluntary family services plan, he or she shall be discharged from further services or supervision, and the pending complaint or petition shall be dismissed with prejudice.

9 Initial Appearance. Amend RSA 169-D:11, II(c) and (d) to read as follows:

(c) Establish any conditions for release; ~~and~~

(d) Set a hearing date[-]; **and**

(e) *Inquire of the juvenile and a parent or guardian of the juvenile if the juvenile has been:*

(1) *Determined to have an intellectual disability; or*

(2) *Determined to have a mental illness, emotional or behavioral disorder, or another disorder that may impede the child's decision-making abilities; or*

(3) *Identified as eligible for special education services.*

10 New Section; Data Collection. Amend RSA 169-D by inserting after section 30 the following new section:

169-D:31 Data Collection.

I. The department shall establish a system to collect data. The system shall collect information related to:

(a) The person or entity who referred the child for services and/or filed the petition.

(b) The racial and ethnic identity of the child.

(c) The insurance status and coverage of child served.

(d) The length of time a child receives services under this chapter, including the time prior and subsequent to the filing of a petition.

(e) The identity of any public or private organization to whom the department has referred a child or family.

(f) Any other information, including outcome data, that may assist the department and the court in evaluating the availability and effectiveness of services for children who receive assistance under this chapter.

II. The department shall, upon request, make available to members of the public, compilations of the data which do not contain identifying information.

11 Effective Date. This act shall take effect September 1, 2013.

#### AMENDED ANALYSIS

This bill expands the definition of a child in need of services under RSA 169-D and requires consideration of voluntary services before proceeding with a petition under RSA 169-D. The bill also requires the department of health and human services to collect certain data regarding petitions under RSA 169-D.

Amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**HB 625-FN**, relative to oversight of guardians ad litem by the guardian ad litem board. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kelleigh D. Murphy for the Majority of Children and Family Law: This bill would have created a full-time administrative position to distribute guardian ad litem performance surveys to parties in a divorce case. While the intent is well-meaning and the committee feels that data on guardian ad litem performance is important, the committee had concerns that parties might be inherently biased and that perhaps judges, attorneys and court staff would be the more appropriate parties to survey. Vote 17-2.

Rep. Jeffrey D. Oligny for the Minority of Children and Family Law: The performance of the guardian ad litem system in New Hampshire is not being monitored. No data exists to demonstrate the favorable performance of ongoing chronic problems. Analyzing performance ensuring that the children of New Hampshire are receiving services is in their best interests.

Majority committee report adopted.

**HB 671-FN**, restoring state payment of fees for guardians ad litem and attorneys where the parents are indigent. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Cynthia L. Chase for Children and Family Law: This bill restores funding for indigent parents in abuse and neglect cases. This is a critical stage for parents who are in danger of losing their children. The committee believes that parents deserve advice of counsel at this critical stage. The committee voted to support the bill in an effort to insure that a parent's rights to parent their children in these cases is adequately protected. The amendment replaces the bill. The original bill also funded guardians ad litem in marital cases. Vote 19-0.

#### Amendment (0431h)

Amend the title of the bill by replacing it with the following:

AN ACT restoring state payment of fees for attorneys in child abuse and neglect cases where the parents are indigent.

Amend the bill by replacing all after the enacting clause with the following:

1 Child Protection Act; Liability of Expenses. Amend RSA 169-C:27, I(f) to read as follows:

(f) ~~Neither~~ **Notwithstanding any provision of law to the contrary**, the department ~~nor the judicial council~~ shall have ~~authority~~ **no responsibility** for the payment of the cost of assigned counsel for any party under this chapter.

2 Adequate Representation Costs. Amend RSA 604-A:1-a to read as follows:

604-A:1-a Neglected or Abused Children. In cases involving a neglected or abused child, when a guardian ad litem is appointed for the child as provided in RSA 169-C:10, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter. ***In cases involving a neglected or abused child, when an attorney is appointed to represent a parent determined to be indigent pursuant to RSA 169-C:10, II, at the preliminary hearing or a hearing pursuant to RSA 169-C:6-a, III, whichever occurs earlier, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter.***

3 Child Protection Act; Preliminary Hearing. Amend RSA 169-C:15, III(a) to read as follows:

(a) Appoint ~~[a CASA or other approved program guardian ad litem or]~~ an attorney ~~[or other qualified guardian ad litem]~~ to represent the child pursuant to RSA 169-C:10.

4 Child Protection Act; Appointment of Counsel. Amend RSA 169-C:10, II(a) to read as follows:

(a) In cases involving a neglected or abused child under this chapter, where the child's expressed interests conflict with the recommendation for dispositional orders of the guardian ad litem, the court may appoint an attorney to represent the interests of the child. ***In any case of neglect or abuse brought pursuant to this chapter, the court shall appoint an attorney to represent an indigent parent alleged to have neglected or abused his or her child. In addition, the court may appoint an attorney to represent an indigent parent not alleged to have neglected or abused his or her child if the parent is a household member and such independent legal representation is necessary to protect the parent's interest. The court shall not appoint an attorney to represent any other persons involved in a case brought under this chapter.***

5 Effective Date. This act shall take effect July 1, 2013.

#### AMENDED ANALYSIS

This bill restores state payment of fees for attorneys in child abuse and neglect cases where the parents are indigent.

Amendment adopted.

Rep. Walz offered floor amendment (0564h).

#### Floor Amendment (0564h)

Amend the bill by replacing section 3 with the following:

3 Child Protection Act; Preliminary Hearing. Amend RSA 169-C:15, III(a) to read as follows:

(a) Appoint a CASA or other approved program guardian ad litem or an attorney ~~[or other qualified guardian ad litem]~~ to represent the child pursuant to RSA 169-C:10.

Rep. Walz spoke in favor.

Floor amendment (0564h) adopted.

Committee report adopted and referred to the Committee on Finance.

**HB 681**, relative to the membership, duties, and responsibilities of the guardian ad litem board and establishing the Court Appointed Advocates for Children in Divorce (CAACD) Corporation. **INEXPEDIENT TO LEGISLATE.**

Rep. Deanna S. Rollo for Children and Family Law: This bill revises the membership and duties of the guardian ad litem board. It also transfers administration of the guardian ad litem board from the department of administrative services to the joint board of licensure and certification. The committee felt there were technical and structural problems with adding this to the joint board. Furthermore, the joint board said they do not have the resources. Vote 18-1.

Committee report adopted.

**HB 315-FN**, relative to liquor commission discounts. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Jill S. Hammond for the Majority of Commerce and Consumer Affairs: This legislation would eliminate the current distinction in the discount applicable on purchases of wines by off-premise retail license holders from the liquor commission. Those licensees with wine purchases under \$350,000 annually get at least a 15%-20% discount; larger retailers with annual purchases above that amount receive at least a 10% discount. Allowing all retail licensees the larger discount would have resulted in a revenue decrease to the state liquor commission between \$4.7 million and \$5 million annually over the next four fiscal years. Vote 15-3.

Rep. Laura M. Jones for the Minority of Commerce and Consumer Affairs: This bill would have equalized the wholesale discount rate, on wine, for all retailers. Current law gives smaller retailers a greater percentage discount than larger retailers. The New Hampshire Constitution Part 1, Article 1 states that government is instituted for the general good. In other words, legitimate actions of government must benefit all equally at the time they are taken. Therefore, government should not pick winners and losers. The minority believes that there should be a level playing field for all retailers and that government should not interfere with the operation of the free market by setting different rates.

The question being adoption of the majority committee report of Inexpedient to Legislate.

On a division vote, 238 members having voted in the affirmative and 110 in the negative, the majority committee report was adopted.

**HB 382-FN**, reducing the nonresident fee for obtaining a license for a pistol or a revolver. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: This bill would reduce the fee for out-of-staters to obtain a pistol permit from \$100 (for four years) to \$20. The bill would cost the state, based on current applications, \$428,880 a year. More than 20 states recognize the New Hampshire permit, so in a sense the fee is a bargain for those applying here. If anything, the committee felt the fee could be increased. For that reason, the committee voted Inexpedient to Legislate on this 80 percent decrease. Vote 17-2.

Rep. Vaillancourt spoke in favor and yielded to questions.

Rep. Hoell spoke against and requested a roll call; sufficiently seconded.

## YEAS 295 NAYS 74

### YEAS 295

#### BELKNAP

Arsenault, Beth	Burchell, Richard	DiMartino, Lisa	Fields, Dennis
Fink, Charles	Greemore, Robert Jr	Gulick, Ruth	Holmes, Stephen
Huot, David	Raymond, Ian	Tilton, Franklin	Vadney, Herbert

#### CARROLL

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Crawford, Karel	Lavender, Tom	Morrow, Harry	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Phillips, Larry  
Shepardson, Marjorie

Berch, Paul  
Eaton, Daniel  
Lerandeau, Alfred  
Roberts, Kris  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

**COOS**

Coulombe, Gary  
Rappaport, Laurence

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Bailey, Brad  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Booras, Efsthia  
Cebrowski, John  
Connor, Evelyn  
DiSilvestro, Linda  
Gagne, Larry  
Goley, Jeffrey  
Haefner, Robert  
Harriott-Gathright, Linda  
Jasper, Shawn  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
Nelson, Mary  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne  
Willette, Robert

Beaulieu, Jane  
Brown, Pam  
Chandlely, Shannon  
Cote, David  
Dobson, Jeremy  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Jeady, Jean  
Kopka, Angeline  
Levesque, Melanie  
Marston, Dick  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Daniel  
Vaillancourt, Steve  
Williams, Kermit

Belanger, James  
Campbell, David  
Christiansen, Lars  
Culbert, Patrick  
Flanagan, Jack  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Hopper, Gary  
Katsiantonis, Thomas  
Kurk, Neal  
Long, Patrick  
McCloskey, David  
Pellegrino, Tony  
Rowe, Robert  
Smith, Timothy  
Sullivan, Peter  
Villeneuve, Moe  
Winters, Joel

Boisvert, Ronald  
Carroll, Douglas  
Coffey, James  
Danielson, David  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Hansen, Peter  
Jack, Martin  
Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Takesian, Charlene  
Walsh, Robert Jr  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Smith, Todd  
Walsh, Thomas IV

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Tilton, Joy  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Turcotte, Alan  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Wallner, Mary Jane  
Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Cahill, Michael

Allen, Mary  
Bishop, Franklin  
Cali-Pitts, Jacqueline

Andrews-Ahearn, E. Elaine  
Borden, David  
Charron, Gene

Belanger, Ronald  
Briden, Steven  
Chirichiello, Brian

Copeland, Timothy  
Emerson-Brown, Rebecca  
Grace, Curtis  
Heffron, Frank  
Khan, Aboul  
Mann, Maureen  
Muns, Chris  
Peckham, Michele  
Sanders, Elisabeth  
St.James, Kevin  
Till, Mary  
Webb, James Sr

Cushing, Robert Jr  
Fesh, Robert  
Griffin, Mary  
Helmstetter, Barbara  
Lovejoy, Patricia  
McMahon, Charles  
O'Connor, John  
Perkins, Amy  
Scarlotta, Joe  
Sweeney, Joe  
Tucker, Pamela  
Whittemore, Lisa

DeSimone, Debra  
Flockhart, Eileen  
Hagan, Joseph  
Hoelzel, Kathleen  
Lundgren, David  
Milz, David  
Packard, Sherman  
Perkins, Lawrence  
Schlachman, Donna  
Sytek, John  
Waterhouse, Kevin

Elliott, Robert  
Friel, William  
Hayes, Jack  
Kappler, Lawrence  
Major, Norman  
Moody, Marcia  
Pantelakos, Laura  
Priestley, Anne  
Sherman, Thomas  
Thompson, David  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Schmidt, Peter  
Verschueren, James

Beaudoin, Steven  
Burke, Rachel  
Gray, James  
Hubbard, Pamela  
Menear, H. Robert III  
Pitre, Joseph  
Smith, Marjorie  
Wall, Janet

Berube, Roger  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Ketel, Stephen  
Parsons, Robbie  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip  
Tanner, Linda

### NAYS 74

### BELKNAP

Comtois, Guy  
Worsman, Colette

Cormier, Jane

Luther, Robert

Sylvia, Michael

### CARROLL

Cordelli, Glenn

McConkey, Mark

Wright, Donald

### CHESHIRE

Hunt, John

### COOS

Rideout, Leon

### GRAFTON

Gionet, Edmond

### HILLSBOROUGH

Boehm, Ralph  
Garcia, Michael  
Lambert, George  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Pratt, Calvin  
Straight, Philip  
Warden, Mark

Burt, John  
Hikel, John  
LeBrun, Donald  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Renzullo, Andrew  
Stroud, Kathleen

Byron, Frank  
Hinch, Richard  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Sanborn, Laurie  
Sweeney, Shawn

Daniels, Gary  
Infantine, William  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Ulery, Jordan

### MERRIMACK

Hoell, J.R.

McGuire, Carol

Reed, Dennis

**ROCKINGHAM**

Baldasaro, Alfred	Bick, Patrick	Comerford, Timothy	Danais, Romeo
Devine, James	Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy
Ferrante, Beverly	Garcia, Marilinda	Gordon, Richard	Harris, Jeffrey
Hodgdon, Bruce	Itse, Daniel	Kolodziej, Walter	McKinney, Betsy
Rice, Frederick	Sapareto, Frank	Schroadter, Adam	Sedensky, John
Tamburello, Daniel	Tasker, Kyle	Tremblay, Stella	Weyler, Kenneth

**STRAFFORD**

Groen, Warren	Jones, Laura	Mullen, John Jr
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**SULLIVAN**

None  
and the committee report was adopted.

**HB 299-FN**, relative to tuition payments for chartered public school pupils. **OUGHT TO PASS.**  
Rep. Ralph G. Boehm for Education: This bill amends RSA 198:42 IV to read the same as it did prior to 2011. This law was changed in 2011 and had the undesired effect to stop future funding of new charter schools. Discussions with the attorney general's office stated that returning the law back to its original language would allow the board of education to remove the moratorium on new charter schools. The current moratorium may also cause the loss of federal grant money for new charter schools. Vote 11-8.  
Committee report adopted and referred to the Committee on Finance.

**HB 570-FN**, relative to school building aid grant eligibility for the White Mountain Regional school district. **OUGHT TO PASS.**

Rep. Rick M. Ladd for Education: White Mountains Regional School District's Career and Technical Center (vocational education) is due to receive state aid in FY 14. Most often, when a CTE renovation project is awarded, it makes sense to do other needed work on the high school portion of the facility at the same time; however, funding for the high school portion of the project involves a separate funding source from school building aid. Originally, the CTE project (75% funding) was scheduled for the 2012 – 2013 biennium. Due to other state CTE projects, the White Mountains Regional Career and Technical Center renovation project was bumped into the 2014 – 2015 biennium. In accordance with HB 2, Chapter 224, 2011 session, adopted legislation directed the commissioner of education not to issue building aid or alternative school building aid for any project approved on or after June 30, 2011 through June 30, 2013. This period of time is commonly known as the school building aid moratorium. The moratorium was enacted due to existing state approved school building aid debt equaling \$540,000,000. During the moratorium period, RSA 198:15 was significantly changed in order to insure that funding for future building aid grants would be appropriated by the general court. Beginning on July 1, 2013, the capped amount is not to exceed \$50M annually. The new procedure also requires school construction and renovation grants to address certain criteria and conditions and grants will be prioritized by a process involving DOE and the state building authority with the state board approving and notifying recipients by January 15, 2014 of this school year. The moratorium period did provide an exception to receive building aid if a building or portion thereof constituted a clear and imminent danger to the life or safety of occupants or other persons, and required remediation prior to July 1, 2013. Although White Mountains Regional High School does have concerns, the district did not submit a renovation grant under this provision. No request was submitted to DOE. Due to the CTE grant falling into the timeframe of the school building aid moratorium and due to the original CTE grant scheduling change, White Mountains Regional High School is requesting an exemption from the moratorium and asking that the school district obtain legislative approval to submit a building aid grant application based upon the "old" funding formula that preceded the moratorium. Under the previous formula, applications were not rated upon the new application conditions, i.e., safety, grounds, educational program support, instructional areas, specialized spaces, administrative spaces, etc. The previous system did not require prioritization, and funding was supported through borrowing and issuing bonds which led to the \$540M debt. The funding process proposed in this bill for White Mountains Regional School District raises policy issues associated with requirements of the new prioritized grant system. There is also the question of the CTE grant being delayed that led the district into the moratorium phase and a subsequent



new building aid prioritization system. The education policy committee requests that this matter be given further consideration for fiscal issues. The education committee discussed the matter that funding for this project may not fall within the remaining \$6.2M available within the \$50M capped amount following the deduction of the \$43.8M payment that must be allocated to obligated debt from past projects. Current statute requires that the available \$6.2M or thereabouts will be used to fund top priority projects (safety), etc., and once awarded, 80% of approved funding will be received by recipients with the remaining 20% project grant received upon project completion. The past alternative funding formula requested by White Mountains School District will revert to the old system of spreading payments over future years, and possibly require a separate appropriation. For these financial decisions, the education policy committee recommended OTP in order to expedite the bill to the proper committee for review of financial considerations. Vote 16-2.

Rep. Lynne Ober spoke against.

Rep. Ladd spoke in favor.

On a division vote, 198 members having voted in the affirmative and 146 in the negative, the committee report was adopted and referred to the Committee on Finance.

Rep. Whittemore declared a conflict of interest and did not participate.

**HB 615-FN-A**, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Mel Myler for Education: In reviewing this bill, the committee recognizes the important and essential service our national guard performs in meeting the needs of our nation. The state national guard performs a vital military function protecting all. To provide a marginal scholarship fund for those who volunteered their lives, is the least the state of New Hampshire can do in recognition of this service. Vote 18-0.

Committee report adopted and referred to the Committee on Finance.

**HB 632-A**, establishing the position of state advisor of the FFA in the department of agriculture, markets, and food. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tara A. Sad for the Majority of Environment and Agriculture: This bill would appropriate \$20,000 per year over the biennium to the department of agriculture, markets and food for funding of the state FFA (formerly Future Farmers of America) Advisor. For over sixty years, the FFA has been training agricultural professionals and leaders, including the hundreds currently active in the program who will become our state's new generation of farmers. The committee understands that all appropriations for the upcoming biennium need to be addressed in HB1 (the appropriations bill) and not in standalone bills such as this, and therefore reluctantly recommends ITL. However, the committee strongly urges the Finance Committee, during its budget negotiations, to approve this miniscule appropriation request for this essential program that ensures the future of New Hampshire agriculture. Vote 11-7.

Rep. Robert H. Haefner for the Minority of Environment and Agriculture: While the minority of the committee on environment and agriculture understands and even supports the majority, that a bill that adds \$20,000 per year outside of the budget is going nowhere, the minority cannot allow the NH house agriculture committee to ITL a bill that supports a state coordinator for the FFA (formerly the Future Farmers of America) without raising a flag. New Hampshire agriculture is important to this state economically, with 4,166 farms which are responsible for our open space and rural culture. The FFA builds mature, disciplined and confident young adults that are the future of NH agriculture. The statewide coordinator is critically important to the success of the organization – coordinating between the sixteen state chapters and the national organization. Without this position, FFA would be unable to function. This was a funded position for years with the department of education until it was defunded a couple of years ago. If we lose FFA, we have lost a treasure of our state and jeopardize the future of New Hampshire Agriculture.

Majority committee report adopted.

**HB 669-FN-L**, relative to nonpayment of property taxes on current use land. **INEXPEDIENT TO LEGISLATE.**

Rep. Michele S. Peckham for Environment and Agriculture: Although the committee felt that the motivations of the bill's sponsor were well intended, the committee found that the penalty for non-payment of property taxes, which was the loss of current use status for a landowner, was too harsh a penalty and did more harm to towns than benefit. Vote 15-2.

Committee report adopted.

**HB 445-FN-L**, allowing public employers in the state to buy into the state health insurance plan. **INEXPEDIENT TO LEGISLATE.**

Rep. Raymond G. Gagnon for Executive Departments and Administration: While the committee appreciates the intent of the sponsor to broaden the insurance pool, the committee found the bill to be confusing, with potential unintended consequences. The committee's concern was that this bill could dramatically increase administrative costs and overwhelm the department of administrative services. The committee was also concerned about the potential for driving up costs for existing pool members. Vote 15-3.

Committee report adopted.

**HB 654-FN**, relative to licensure and renewal fees. **OUGHT TO PASS.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill sets in statute, rather than in rules, the licensing fees for a number of small boards and relieves the boards of the obligation to have the fees sum to 125% of their budget. The study committee on fees in rules (2012) learned that boards are reluctant to change their fees often enough to remain at that level and as a result they average over 160% of their budget. HB 654 sets all the licensing fees to \$100, which approximates 125%, and will also make it easier for the soon to be consolidated staff to administer. In the future, these fees can be reviewed as part of the budget cycle and adjusted along with the boards' budgets. Vote 15-3.

Committee report adopted and referred to the Committee on Ways and Means.

**HB 199**, relative to expenditures from the fish and game search and rescue fund. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jonathan F. Manley for the Majority of Fish and Game and Marine Resources: This bill is overly restrictive to the fish and game department. This bill would have limited fish and game from expending funds from the search and rescue fund to their officers for search and rescue operations. The bill's prime sponsor offered testimony and an amendment to scrap this bill and create an entirely new bill. The committee felt that if the sponsor wished to create an entirely new bill then that could be done for next year. Vote 12-2.

Rep. John A. Burt for the Minority of Fish and Game and Marine Resources: This bill was prompted by an analysis of the quarterly reports of the search and rescue fund. It was noted that there seemed to be a minimum charge against the fund of 125 regular hours of fish and game officers whether there were 3 rescues or 20. If the number of rescues went above 20 then the regular hours increased proportionally. This caused the sponsor to think that there were some inappropriate charges against the fund leading to its deficit. The sponsor, in an attempt to make the search and rescue process more efficient and self supporting, sought to replace the original bill with an amendment that would require fish and game to explore placing a chip in a hiker registration card. This card would not be required but could be purchased voluntarily. The chip would enable fish and game, given the name of the card holder, to pinpoint the hiker's location in the event of a report that the hiker was overdue. This would utilize technology with surveillance satellites or aircraft transponders. The sale of the cards would provide funds to the search and rescue fund. The committee did not consider the amendment. Either concept presented seemed worthy of consideration to deal with the consistent problem of shortages in the search and rescue fund.

Majority committee report adopted.

**HB 259-FN**, relative to special licenses for taking lobster while engaged in recreational scuba diving. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Burt for Fish and Game and Marine Resources: This same bill passed the committee last year unanimously and passed the House on the consent calendar before heading to the Senate. This bill provides license availability, on a 2 year pilot program basis, to certified scuba divers for the taking of legally-sized lobster during the month of September only. The majority of the committee felt that all residents, including divers, should have access to a state resource. The pilot program will allow data to be collected that will prove invaluable to conservation in managing this resource. No testimony was heard that indicated that the diver's limited access would affect the lobster population density in a recognizable fashion. If passed, we would join every other state on the East Coast (except Maine) to allow scuba diving for lobster. Vote 8-6.

#### **Amendment (0386h)**

Amend the bill by replacing all after section 2 with the following:

3 Scuba Diver Lobster License Removed; 2016. Amend RSA 211:18, III(a) to read as follows:

(a) If a person is a resident of this state and does not take lobsters or crabs for the purpose of sale and does not use more than 5 traps, the person may receive a recreational lobster and crab license. ~~[A person receiving a recreational lobster and crab license may not also receive the scuba diver lobster license under paragraph III-c.]~~

4 Repeal; 2016. RSA 211:18, III-c, relative to special scuba diver lobster licenses, is repealed.

5 Effective Date.

I. Sections 3 and 4 of this act shall take effect January 1, 2016.

II. The remainder of this act shall take effect January 1, 2014.

### AMENDED ANALYSIS

This bill allows the fish and game department to issue special scuba diver lobster licenses for noncommercial taking of lobsters while engaged in recreational scuba diving. The authority to issue the special scuba diver lobster licenses is repealed January 1, 2016.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Duarte spoke in favor and yielded to questions.

Rep. Burt requested a roll call; sufficiently seconded.

### YEAS 303 NAYS 66

#### YEAS 303

##### BELKNAP

Arsenault, Beth	Burchell, Richard	Comtois, Guy	Cormier, Jane
Fields, Dennis	Fink, Charles	Greemore, Robert Jr	Gulick, Ruth
Holmes, Stephen	Huot, David	Luther, Robert	Raymond, Ian
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Worsman, Colette

##### CARROLL

Ahlgren, Christopher	Butler, Edward	Cordelli, Glenn	Crawford, Karel
Lavender, Tom	McConkey, Mark	Morrow, Harry	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen	White, Syndi	Wright, Donald

##### CHESHIRE

Ames, Richard	Berch, Paul	Burridge, Delmar	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Hunt, John	Johnsen, Gladys
Mann, John	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Shepardson, Marjorie	Young, Harry		

##### COOS

Enman, Larry	Hammon, Marcia	Moynihan, Wayne	Rappaport, Laurence
Rideout, Leon	Theberge, Robert	Thomas, Yvonne	

##### GRAFTON

Bailey, Brad	Benn, Bernard	Bradley, Lester	Brown, Rebecca
Cooney, Mary	Doolan, Ralph Jr	Ford, Susan	Friedrich, Carol
Gionet, Edmond	Higgins, Patricia	Lauer, Linda	Lovett, Sid
Massimilla, Linda	Nordgren, Sharon	Pastor, Beatriz	Reilly, Harold Sr
Shackett, Jeffrey	Smith, Suzanne	Townsend, Charles	White, Andrew

##### HILLSBOROUGH

Backus, Robert	Belanger, James	Boehm, Ralph	Boisvert, Ronald
Brown, Pam	Burt, John	Byron, Frank	Campbell, David
Carroll, Douglas	Cebrowski, John	Chandley, Shannon	Christiansen, Lars
Coffey, James	Connor, Evelyn	Cote, David	Culbert, Patrick
Daniels, Gary	Danielson, David	DiSilvestro, Linda	Dobson, Jeremy
Flanagan, Jack	Gage, Ruth	Gagne, Larry	Gale, Sylvia

Gargas, Carolyn  
 Hansberry, Daniel  
 Hinch, Richard  
 Katsiantonis, George  
 Kurk, Neal  
 LeVasseur, Richard  
 Marston, Dick  
 McNamara, Richard  
 Murphy, Kelleigh  
 O'Brien, William  
 Palmer, Stephen  
 Porter, Marjorie  
 Rhodes, Brian  
 Sandblade, Emily  
 Smith, Timothy  
 Sullivan, Daniel  
 Vaillancourt, Steve  
 Winters, Joel

Goley, Jeffrey  
 Hansen, Peter  
 Infantine, William  
 Katsiantonis, Thomas  
 Lambert, George  
 Levesque, Melanie  
 Martel, Andre  
 Meaney, Richard  
 Nelson, Mary  
 O'Flaherty, Tim  
 Parison, James  
 Pratt, Calvin  
 Rokas, Ted  
 Schmidt, Janice  
 Soucy, Timothy  
 Sweeney, Shawn  
 Villeneuve, Moe  
 Woodbury, David

Grady, Brenda  
 Harriott-Gathright, Linda  
 Jack, Martin  
 Kelley, John  
 LeBrun, Donald  
 Long, Patrick  
 McCarthy, Michael  
 Murotake, David  
 Notter, Jeanine  
 Ober, Lynne  
 Pellegrino, Tony  
 Ramsey, Peter  
 Rosenwald, Cindy  
 Shattuck, Gilman  
 Straight, Philip  
 Ulery, Jordan  
 Warden, Mark

Haefner, Robert  
 Hikel, John  
 Jeudy, Jean  
 Knowles, Mary Ann  
 Leishman, Peter  
 MacKay, Mariellen  
 McCloskey, David  
 Murphy, Keith  
 O'Brien, Michael Sr  
 Ober, Russell III  
 Peterson, Lenette  
 Renzullo, Andrew  
 Sanborn, Laurie  
 Shaw, Barbara  
 Stroud, Kathleen  
 Vail, Suzanne  
 Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
 Burns, Scott  
 Frambach, Mary  
 Henle, Paul  
 Hunt, Jane  
 MacKay, James  
 Myler, Mel  
 Shurtliff, Stephen  
 Wallner, Mary Jane  
 Webb, Leigh

Andrews, Christopher  
 Carey, Lorrie  
 Frazer, June  
 Hess, David  
 Karrick, David Jr  
 McGuire, Carol  
 Ratzki, Mario  
 Smith, Todd  
 Walsh, Thomas IV

Bartlett, Christy  
 Carson, Clyde  
 French, Barbara  
 Hirsch, Geoffrey  
 Kidder, David  
 McGuire, Dan  
 Richardson, Gary  
 Tilton, Joy  
 Walz, Mary Beth

Bouchard, Candace  
 Ebel, Karen  
 Gile, Mary  
 Hoell, J.R.  
 Lockwood, Priscilla  
 Moffett, Howard  
 Schamberg, Thomas  
 Turcotte, Alan  
 Watrous, Rick

### ROCKINGHAM

Abrami, Patrick  
 Bick, Patrick  
 Cali-Pitts, Jacqueline  
 Danaïs, Romeo  
 Dumaine, Dudley  
 Fesh, Robert  
 Gordon, Richard  
 Harris, Jeffrey  
 Hodgdon, Bruce  
 Kolodziej, Walter  
 Mann, Maureen  
 Packard, Sherman  
 Sapareto, Frank  
 St.James, Kevin  
 Thompson, David  
 Waterhouse, Kevin

Allen, Mary  
 Birdsell, Regina  
 Charron, Gene  
 DeSimone, Debra  
 Elliott, Robert  
 Flockhart, Eileen  
 Grace, Curtis  
 Hayes, Jack  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 McMahon, Charles  
 Peckham, Michele  
 Schlachman, Donna  
 Sweeney, Joe  
 Till, Mary  
 Wazlaw, Brian

Andrews-Ahearn, E. Elaine  
 Briden, Steven  
 Comerford, Timothy  
 Devine, James  
 Emerson-Brown, Rebecca  
 Friel, William  
 Griffin, Mary  
 Heffron, Frank  
 Itse, Daniel  
 Lundgren, David  
 Milz, David  
 Priestley, Anne  
 Schroadter, Adam  
 Tamburello, Daniel  
 Tremblay, Stella  
 Weyler, Kenneth

Baldasaro, Alfred  
 Cahill, Michael  
 Copeland, Timothy  
 Duarte, Joe  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Hagan, Joseph  
 Helmstetter, Barbara  
 Kappler, Lawrence  
 Major, Norman  
 O'Connor, John  
 Rice, Frederick  
 Sedensky, John  
 Tasker, Kyle  
 Tucker, Pamela  
 Whittemore, Lisa

### STRAFFORD

Beaudoin, Steven  
 Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Pitre, Joseph  
 Smith, Marjorie  
 Wall, Janet

Berube, Roger  
 Burke, Rachel  
 Gray, James  
 Jones, Laura  
 Mullen, John Jr  
 Rogers, Rose Marie  
 Spang, Judith

Bickford, David  
 Gardner, Janice  
 Groen, Warren  
 Kaen, Naida  
 Parsons, Robbie  
 Rollo, Deanna  
 Stevens, Audrey

Bixby, Peter  
 Ginsburg, Philip  
 Grossman, Kenneth  
 Malloy, Dennis  
 Perry, Robert  
 Schmidt, Peter  
 Verschueren, James

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Tanner, Linda

Grenier, James  
Rollins, Skip

Irwin, Virginia  
Schmidt, Andrew

**NAYS 66**  
**BELKNAP**

DiMartino, Lisa

**CARROLL**

Buco, Thomas

Chandler, Gene

Nelson, Bill

**CHESHIRE**

Johnson, Jane  
Weber, Lucy

Lerandeau, Alfred  
Weed, Charles

Parkhurst, Henry

Sad, Tara

**COOS**

Hatch, William

Richardson, Herbert

**GRAFTON**

Aguiar, James  
Mulholland, Catherine

Almy, Susan  
Piper, Wendy

Harding, Laurie  
Sykes, George

Ladd, Rick Jr

**HILLSBOROUGH**

Beaulieu, Jane  
Gorman, Mary  
Jasper, Shawn  
Spratt, Stephen  
Willette, Robert

Booras, Efstathia  
Graham, John  
Kopka, Angeline  
Sullivan, Peter

Garcia, Michael  
Hammond, Jill  
Manley, Jonathan Sr  
Takesian, Charlene

Gidge, Kenneth  
Heden, Ruth  
Rowe, Robert  
Walsh, Robert Jr

**MERRIMACK**

Davis, Frank  
Rice, Chip

Kelly, Sally  
Rogers, Katherine

Patten, Dick  
Schuett, Dianne

Reed, Dennis

**ROCKINGHAM**

Bishop, Franklin  
Khan, Aboul  
Pantelakos, Laura  
Scarlotto, Joe

Borden, David  
McKinney, Betsy  
Perkins, Amy  
Sherman, Thomas

Cushing, Robert Jr  
Moody, Marcia  
Perkins, Lawrence  
Sytek, John

Emerick, J. Tracy  
Muns, Chris  
Sanders, Elisabeth  
Webb, James Sr

**STRAFFORD**

Baber, William  
Miller, David

Hooper, Dorothea

Horrigan, Timothy

Ketel, Stephen

**SULLIVAN**

Gagnon, Raymond

Sweeney, Cynthia

and the committee report was adopted and referred to the Committee on Ways and Means.

**HB 316-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard E. Meaney for Health, Human Services and Elderly Affairs: This bill establishes alkaline hydrolysis as a legal procedure for the disposal of human remains. Alkaline hydrolysis is a procedure whereby human remains are reduced to bone fragments by a solution of water and potassium hydroxide. Alkaline hydrolysis is more energy efficient than cremation, produces less CO<sub>2</sub> than cremation and has no vaporized mercury emissions. Alkaline hydrolysis ensures complete destruction of infectious agents and produces sterile effluent that will not harm the public. This eco-friendly alternative to traditional cremation is less expensive than traditional burial. Passage of this bill provides families with an alternative to the traditional methods of cremation and burial for the disposal of the remains of loved ones. Vote 15-2.

**Amendment (0344h)**

Amend RSA 325-B:1, I as inserted by section 1 of the bill by replacing it with the following:

I. "Alkaline hydrolysis" means the technical process that reduces human remains to bone fragments by use of an American Society of Mechanical Engineers (ASME) certified pressure vessel that operates above atmospheric pressure using the parameters of heat, time, and solution sufficient to achieve complete dissolution of all tissue remains.

Amend RSA 325-B:1, XIV as inserted by section 1 of the bill by replacing it with the following:

XIV. "Leak proof pouch" means a plastic, vinyl, protein-based, or similar material bag that is made specifically for the containment of human remains.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Reps. Bill Nelson, Kappler and LeBrun spoke against.

Rep. Harding spoke in favor.

Rep. Vaillancourt spoke in favor and yielded to questions.

On a division vote, 257 members having voted in the affirmative and 113 in the negative, the committee report was adopted and referred to the Committee on Executive Departments and Administration.

**HB 652-FN**, relative to the judicial branch information technology fund. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Joseph M. Hagan for the Majority of Judiciary: State law authorizes seven percent (7%) of filing fees for the supreme court, family court, superior court, district court and probate court be paid into a special escrow account for the benefit of the state. This bill allows increasing the contribution from this account from 14% to 30% for maintaining judicial branch information technology. This will be paid for by slight increases in fees by the users of court services and not impacting taxpayers at large. Vote 12-6.

Rep. Robert H. Rowe for the Minority of Judiciary: Maintaining the judicial branch technology equipment is important if we desire to move forward with electronic court. We are years behind other states in this regard. However, in supporting this effort the minority believes the increased costs should not be placed on the users. Additional funding should come from the court budget and the general fund rather than paid by user fees and surcharges. If anything, filing fees should be reduced, but the legislature has no control over this; fees are strictly set by court rules. Sooner than later the filing fees and other court imposed charges will discourage the adjudication of disputes by citizens. Sooner or later the user fees will be of a magnitude to be in violation of Part 1, Article 14, of the New Hampshire Constitution.

Majority committee report adopted and referred to the Committee on Ways and Means.

**HJR 2-FN-A**, making restitution to Jeffery Frost for inappropriate prosecution. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter M. Sullivan for Judiciary: The committee takes no stance on the merits of Jeffrey Frost's claim. Our objection to HJR 2 is based on our learning that Mr. Frost chose to initiate litigation in Superior Court. This is the appropriate forum. The House is not equipped to offer findings of fact or rulings of law in a civil tort case. Further, passing HJR 2 would set a dangerous precedent. A flood of aggrieved litigants seeking financial compensation through the legislative process would overwhelm the House staff and undermine the authority of the courts. Vote 19-0.  
Committee report adopted.

**MOTION TO REMOVE FROM THE TABLE**

Rep. Rowe moved that **HB 590**, relative to the unauthorized practice of law, be removed from the table. Adopted.

Rep. Rowe moved Recommit and spoke in favor.

Rep. Marjorie Smith spoke in favor.

Adopted.

Recommitted to the Committee on Judiciary.

Rep. Peter Sullivan declared a conflict of interest and did not participate.

The House recessed at 12:01 p.m.

RECESS

The House reconvened at 1:05 p.m.

(Speaker Norelli in the Chair)

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly Enrolled Senate Bill numbered 115.

Rep. Shurtleff, Sen. Prescott for the Committee

### REGULAR CALENDAR – PART I (CONT'D)

**HB 617-FN-A-L**, increasing the rate of the road toll, increasing the vehicle registration fee, and establishing the New Hampshire state and municipal road and bridge account. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B. Campbell for Public Works and Highways: New Hampshire's state and municipal roads and bridges are in terrible condition. The problem is getting worse and more expensive each year. The unanimous, bi-partisan 18-0 endorsement of HB 617 by the committee is an acknowledgment that the only way to begin to correct the problem is by properly funding the repairs of our crumbling infrastructure. Only money, not words and not ideology, will fix roads and bridges. For the last 22 years, consecutive Legislatures have neglected this problem by declaring the state and its taxpayers could not afford to raise the road toll. The fact is we can't afford not to. New Hampshire's highway system is its economic life blood, supporting commerce, tourism and our everyday lives. Today, by not properly funding or maintaining NH's roads and bridges, we face an infrastructure crisis, that is on its way to becoming a catastrophe. How big is the crisis?: 1) Interstate 93 widening (the main transportation artery into NH) is \$250 million underfunded. Without new revenue it will not be completed. 2) 1661 miles of state roads are currently rated in poor condition, needing major work, (ballooning from 630 miles of poor roads in 2000), which account for over one-third (36%) of NH's 4500 miles of state roads; ranking NH 9th worst nationally in rural roads. Without new revenue the miles of state roads in poor condition will continue to increase, as will the cost to repair them...exponentially. 3) There are currently 140 red list state bridges, and without new revenue that number will grow to 174 by 2016, and over 200 by 2020. The state's number one red list bridge (Sarah Mildred Long Bridge connecting Portsmouth to Kittery, ME) will cost NH \$85 million and is unfunded. 4) NH's towns & cities are in worse shape with 353 red list bridges and 10-12 being closed per year. Their roads continue to deteriorate and with dwindling state highway and bridge aid, must rely on property taxes to fix problems that are too big for local property taxpayers to bear. HB 617 addresses these problems over a ten year horizon. It raises the road toll (gas tax) by 4 cents per gallon of gasoline in each of the following three fiscal years and 3 cents per gallon in the fourth fiscal year for a total of 15 cents by FY 2017. This user fee was last raised in 1991 to 18 cents/gallon when gasoline was \$1.13 per gallon. During the 4 years Judd Gregg was governor it was raised twice (28%). NH has the lowest gas tax in the Northeast and second lowest across the nation's "Frostbelt." Importantly, it sets up a separate protected fund, within the already constitutionally protected highway fund, to ensure that EVERY PENNY of the increase will be used to fund the maintenance, construction and reconstruction of NH's state and municipal roads and bridges. It increases the road toll for diesel fuel by 2.5 cents per year for 6 years for a total of 15 cents by FY 2019. The committee did this to spread out the cost for the trucking industry, but because heavy trucks do more damage to roads and bridges, and that NH diesel tax is the lowest in the northeast, they too must help to pay to fix the bridges and roads they rely on for their livelihood. This increase in the road toll will raise just under one billion dollars over the next ten years. It will raise almost \$800 million dollars for the NH DOT to finish I-93 and reduce the number of state red list bridges and state roads in poor condition. It will significantly help towns and cities fix their roads and bridges by raising over \$200 million dollars more in municipal aid (a 70% increase). HB 617, as amended: 1) increases municipal block grant Aid by over \$13 million/yr. (46% more), 2) doubles the annual state bridge aid for municipalities from \$6.8 million/yr. to \$13.6 million/yr. to help fix their red list bridges, 3) doubles the annual state highway aid for municipalities from \$1.7 million/yr. to \$3.4 million dollars/yr., and 4) eliminates the one year delay from when municipal block grant aid is raised and sent to municipalities. Once this 15 cent increase is fully phased-in and IF every penny passes through to the consumer (which testimony indicates it will not), the average NH driver (12,000 miles/yr at 22.6 MPG) will pay \$79 more per year. Compare this number to the recent study by TRIP indicating the average NH driver now pays annually \$323 in added automobile

repairs (up from \$259 four years ago). This bill will have a direct economic impact by creating over 1,000 new jobs and means hundreds of millions of dollars of construction within NH and it will put NH back on an 8-10 year repaving cycle, thereby saving taxpayer millions of dollars. The amendment eliminated the increase in the registration fee and spread a 15 cent increase over 4 years for gasoline and 6 years for diesel. It also added weight restricted bridges and unnumbered state highways as priorities to help rural and North Country roads. NH's present and future taxpayers, the driving public, the State's tourism industry and overall economy cannot afford to further delay raising sufficient funds to properly fix the state and municipal roads and bridges. Vote 18-0.

#### Amendment (0489h)

Amend the title of the bill by replacing it with the following:

AN ACT increasing the rate of the road toll and establishing the New Hampshire state and municipal road and bridge account.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) Moneys deposited in the New Hampshire state and municipal road and bridge account established under RSA 260:32-a.

2 Levy of Tolls and Exemptions. Amend the introductory paragraph of RSA 260:32 to read as follows:

260:32 Levy of Tolls and Exemptions. There is hereby imposed a road toll of \$.18 per gallon upon the sale of each gallon of motor fuel sold by distributors thereof. *The road toll on gasoline shall increase to \$.22 per gallon beginning July 1, 2013; to \$.26 per gallon beginning July 1, 2014; to \$.30 per gallon beginning July 1, 2015; and to \$.33 per gallon beginning July 1, 2016. The road toll on special fuel (diesel) shall increase to \$.205 per gallon on July 1, 2013; to \$.23 per gallon on July 1, 2014; to \$.255 per gallon on July 1, 2015; to \$.28 per gallon on July 1, 2016; to \$.305 per gallon on July 1, 2017; and to \$.33 per gallon on July 1, 2018.* The road toll shall be collected by the distributor from the purchaser and remitted to the state in the manner hereinafter set forth. *All amounts collected in excess of \$.18 per gallon shall be deposited on a monthly basis into the New Hampshire state and municipal road and bridge account established in RSA 260:32-a.* Provided, that the road toll shall not apply to:

3 New Section; Account Established. Amend RSA 260 by inserting after section 32 the following new section:

260:32-a Account Established. There is hereby established a separate account in the highway fund called the New Hampshire state and municipal road and bridge account. The account is to be used exclusively for the construction, reconstruction, and maintenance of state and municipal roads and bridges, including weight-restricted bridges and unnumbered roads owned by the state, to improve safe travel for motorists, create jobs, and promote commerce, tourism, and economic growth in the state. The account shall consist of the funds attributable to all road toll revenue collected in excess of \$.18 per gallon, net of any block grant aid apportionment pursuant to RSA 235:23, I. The amount deposited into the New Hampshire road and bridge account is hereby exclusively and continually appropriated to the department of transportation and shall be nonlapsing.

4 Block Grant Aid; Apportionment. Amend RSA 235:23, I to read as follows:

I. Apportionment A. In each fiscal year, the commissioner shall allocate an amount not less than 12 **percent** of the **estimated** total road toll revenue and motor vehicle fees **to be** collected [~~in the preceding~~] **during the** fiscal year to a local highway aid fund. This fund shall be distributed to each city, town, and unincorporated place on a formula in which 1/2 of the amount is based on the proportion which the mileage of regularly maintained class IV and class V highways in each municipality, as of January 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount is based on the proportion which the office of energy and planning population estimate of each municipality bears to the latest estimate of the total population of the state as of July 1 of the year of the estimate. **Since the payment is based upon estimated revenues to be received during the fiscal year, the following year's payment shall be adjusted for any overpayment or underpayment during the prior year based upon the actual audited total road toll revenues and motor vehicle fees collected.** The aid to be distributed under this paragraph shall be in addition to all other state and federal aid specifically authorized by statute.



5 New Section; State Bridge Aid; State Highway Aid. Amend RSA 234 by inserting after section 4 the following new section:

234:4-a State Bridge Aid. Beginning in fiscal year 2016, the state allocation under this chapter to municipalities for state bridge aid shall be no less than \$13,600,000 per year.

6 New Section; Federal and State Highway Aid; State Highway Aid. Amend RSA 235 by inserting after section 15 the following new section:

235:15-a State Highway Aid. Beginning in fiscal year 2016, the state allocation under this chapter to municipalities for state highway aid shall be no less than \$3,400,000 per year.

7 Effective Date. This act shall take effect July 1, 2013.

### AMENDED ANALYSIS

This bill:

I. Establishes the New Hampshire state and municipal road and bridge account.

II. Increases the road toll for gasoline and diesel fuel.

III. Provides for adjustment in payments by the department of transportation to municipalities for highway construction and reconstruction aid when such payments are based on estimated revenue. Amendment adopted.

### MOTION TO LAY ON THE TABLE

Rep. Itse moved that **HB 617-FN-A-L**, increasing the rate of the road toll and establishing the New Hampshire state and municipal road and bridge account, be laid on the table.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

### YEAS 126 NAYS 207

#### YEAS 126

#### BELKNAP

Comtois, Guy  
Greemore, Robert Jr  
Vadney, Herbert

Cormier, Jane  
Holmes, Stephen  
Worsman, Colette

Fields, Dennis  
Luther, Robert

Fink, Charles  
Sylvia, Michael

#### CARROLL

Ahlgren, Christopher  
Merrow, Harry

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn

Crawford, Karel

#### CHESHIRE

Johnson, Jane

#### COOS

Rappaport, Laurence

Rideout, Leon

Thomas, Yvonne

#### GRAFTON

Bailey, Brad

Bradley, Lester

Ladd, Rick Jr

Reilly, Harold Sr

#### HILLSBOROUGH

Boehm, Ralph  
Daniels, Gary  
Gargas, Carolyn  
Hinch, Richard  
Lambert, George  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Sweeney, Shawn  
Willette, Robert

Burt, John  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Vaillancourt, Steve

Byron, Frank  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
Marston, Dick  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Villeneuve, Moe

Cebrowski, John  
Garcia, Michael  
Hikel, John  
Katsiantonis, George  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Warden, Mark

**MERRIMACK**

Hoell, J.R.  
Smith, Todd

McGuire, Carol  
Walsh, Thomas IV

McGuire, Dan

Reed, Dennis

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Danaïs, Romeo  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Kappler, Lawrence  
Packard, Sherman  
Sanders, Elisabeth  
Sweeney, Joe  
Webb, James Sr

Allen, Mary  
Charron, Gene  
Devine, James  
Ferrante, Beverly  
Grace, Curtis  
Hayes, Jack  
Kolodziej, Walter  
Perkins, Lawrence  
Sapareto, Frank  
Tamburello, Daniel  
Weyler, Kenneth

Baldasaro, Alfred  
Chirichiello, Brian  
Duarte, Joe  
Fesh, Robert  
Griffin, Mary  
Hodgdon, Bruce  
McKinney, Betsy  
Priestley, Anne  
Sedensky, John  
Thompson, David

Bick, Patrick  
Comerford, Timothy  
Dumaine, Dudley  
Garcia, Marilinda  
Hagan, Joseph  
Itse, Daniel  
O'Connor, John  
Rice, Frederick  
St.James, Kevin  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

**SULLIVAN**

Rollins, Skip

Smith, Steven

**NAYS 207****BELKNAP**

Arsenault, Beth  
Huot, David

Burchell, Richard  
Raymond, Ian

DiMartino, Lisa  
Tilton, Franklin

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
Umberger, Karen

Lavender, Tom  
White, Syndi

McConkey, Mark

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Phillips, Larry  
Shepardson, Marjorie

Burridge, Delmar  
Johnsen, Gladys  
Roberts, Kris  
Weber, Lucy

Butynski, William  
Lerandeau, Alfred  
Robertson, Timothy  
Weed, Charles

**COOS**

Enman, Larry

Hammon, Marcia

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey

Almy, Susan  
Doolan, Ralph Jr  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Ford, Susan  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Friedrich, Carol  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Booras, Efstathia  
Chandley, Shannon  
DiSilvestro, Linda  
Goley, Jeffrey  
Hammond, Jill

Beaulieu, Jane  
Brown, Pam  
Connor, Evelyn  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel

Belanger, James  
Campbell, David  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda

Boisvert, Ronald  
Carroll, Douglas  
Danielson, David  
Gidge, Kenneth  
Graham, John  
Heden, Ruth

Jack, Martin  
Knowles, Mary Ann  
Manley, Jonathan Sr  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Peter  
Williams, Kermit

Jasper, Shawn  
Leishman, Peter  
McCloskey, David  
Ramsey, Peter  
Smith, Timothy  
Takesian, Charlene  
Winters, Joel

Jeady, Jean  
Levesque, Melanie  
McNamara, Richard  
Rosenwald, Cindy  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Kelley, John  
Long, Patrick  
O'Brien, Michael Sr  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Burns, Scott  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

### ROCKINGHAM

Bishop, Franklin  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Lundgren, David  
Moody, Marcia  
Perkins, Amy  
Waterhouse, Kevin

Borden, David  
Copeland, Timothy  
Flockhart, Eileen  
Hoelzel, Kathleen  
Major, Norman  
Muns, Chris  
Sytek, John  
Wazlaw, Brian

Briden, Steven  
Cushing, Robert Jr  
Friel, William  
Khan, Aboul  
Mann, Maureen  
Pantelakos, Laura  
Till, Mary  
Whittemore, Lisa

Cahill, Michael  
Elliott, Robert  
Heffron, Frank  
Lovejoy, Patricia  
Milz, David  
Peckham, Michele  
Tremblay, Stella

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Mullen, John Jr  
Rollo, Deanna  
Stevens, Audrey

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Schmidt, Andrew  
and the motion failed.

Gottling, Suzanne  
Sweeney, Cynthia

Grenier, James  
Tanner, Linda

Irwin, Virginia

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. William O'Brien offered floor amendment (0696h).

### Floor Amendment (0696h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing the allocation of gross appropriations from the highway fund.

Amend the bill by replacing all after the enacting clause with the following:

1 Allocation of Appropriations from the Highway Fund. Amend RSA 9:9-b to read as follows:

9:9-b Allocation of Gross Appropriations From Highway Fund. For each fiscal year of the biennium, gross highway fund appropriations net of highway block grant aid, shall be allocated in the operating budget as follows:

I. Department of transportation [~~including the office of information technology~~]: Not less than [73] 100 percent.

II. Department of safety: Not to exceed [26] zero percent.

III. Other projects that comply with part 2, article 6-a of the New Hampshire constitution, relative to the use of highway funds: Not to exceed [±] zero percent.

*IV. All revenue in excess of the necessary cost of collection and administration accruing to the state from registration fees, operators' licenses, gasoline road tolls, or any other special charges or taxes with respect to the operation of motor vehicles or the sale or consumption of motor vehicle fuels shall be credited to the highway fund. No expenditure by the department of transportation of funds in the highway fund shall be other than in compliance with part 2, article 6-a of the New Hampshire constitution, relative to the use of highway funds, and otherwise shall be limited exclusively for the construction, reconstruction, and maintenance of public highways within this state, including the payment of the interest and principal of obligations incurred for said purposes; and no part of such revenues shall, by transfer of funds or otherwise, be diverted to any other purpose whatsoever.*

2 Effective Date. This act shall take effect July 1, 2013.

#### AMENDED ANALYSIS

This bill requires that all funds appropriated to the highway fund shall be used by the department of transportation for the construction, reconstruction, and maintenance of public highways within this state.

Reps. Daniel Eaton and Jasper spoke against.

Rep. William O'Brien spoke in favor.

Rep. Baldasaro spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

#### YEAS 120 NAYS 251

##### YEAS 120 BELKNAP

Burchell, Richard  
Fink, Charles  
Vadney, Herbert

Comtois, Guy  
Greenmore, Robert Jr  
Worsman, Colette

Cormier, Jane  
Luther, Robert

Fields, Dennis  
Sylvia, Michael

##### CARROLL

Cordelli, Glenn  
Schmidt, Stephen

Crawford, Karel  
Wright, Donald

McConkey, Mark

Nelson, Bill

##### CHESHIRE

Hunt, John

##### COOS

Rappaport, Laurence

Rideout, Leon

##### GRAFTON

Bradley, Lester

Gionet, Edmond

Reilly, Harold Sr

##### HILLSBOROUGH

Boehm, Ralph  
Coffey, James  
Garcia, Michael  
Hinch, Richard  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Vaillancourt, Steve

Burt, John  
Daniels, Gary  
Graham, John  
Hopper, Gary  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Renzullo, Andrew  
Straight, Philip  
Villeneuve, Moe

Byron, Frank  
Flanagan, Jack  
Hansen, Peter  
Infantine, William  
Marston, Dick  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Rowe, Robert  
Sweeney, Shawn  
Warden, Mark

Christiansen, Lars  
Gagne, Larry  
Hikel, John  
Lambert, George  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Ulery, Jordan  
Willette, Robert

##### MERRIMACK

Hess, David  
Walsh, Thomas IV

Hoell, J.R.

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Devine, James  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Lundgren, David  
O'Connor, John  
Schroadter, Adam  
Tremblay, Stella

Allen, Mary  
Chirichiello, Brian  
Duarte, Joe  
Ferrante, Beverly  
Grace, Curtis  
Hodgdon, Bruce  
Major, Norman  
Priestley, Anne  
Sedensky, John  
Tucker, Pamela

Baldasaro, Alfred  
Comerford, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Itse, Daniel  
McKinney, Betsy  
Rice, Frederick  
Tamburello, Daniel  
Webb, James Sr

Bick, Patrick  
Danaïs, Romeo  
Elliott, Robert  
Garcia, Marilinda  
Hagan, Joseph  
Kappler, Lawrence  
McMahon, Charles  
Sapareto, Frank  
Tasker, Kyle  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

**SULLIVAN**

Rollins, Skip

Smith, Steven

**NAYS 251****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth  
Tilton, Franklin

Holmes, Stephen

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
White, Syndi

Buco, Thomas  
Merrow, Harry

Butler, Edward  
Ticehurst, Susan

Chandler, Gene  
Umberger, Karen

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Phillips, Larry  
Shepardson, Marjorie

Berch, Paul  
Eaton, Daniel  
Lerandeau, Alfred  
Roberts, Kris  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

**COOS**

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Bailey, Brad  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Booras, Efstathia  
Cebrowski, John  
Culbert, Patrick  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jasper, Shawn

Beaulieu, Jane  
Brown, Pam  
Chandley, Shannon  
Danielson, David  
Gargasz, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Katsiantonis, George

Belanger, James  
Campbell, David  
Connor, Evelyn  
DiSilvestro, Linda  
Gidge, Kenneth  
Haefner, Robert  
Heden, Ruth  
Katsiantonis, Thomas

Boisvert, Ronald  
Carroll, Douglas  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Kelley, John

Knowles, Mary Ann  
Long, Patrick  
McCloskey, David  
Pellegrino, Tony  
Rokas, Ted  
Shaw, Barbara  
Stroud, Kathleen  
Vail, Suzanne  
Woodbury, David

Kurk, Neal  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Daniel  
Walsh, Robert Jr

Leishman, Peter  
Manley, Jonathan Sr  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Sullivan, Peter  
Williams, Kermit

Levesque, Melanie  
Martel, Andre  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Takesian, Charlene  
Winters, Joel

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Rogers, Katherine  
Smith, Todd  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Reed, Dennis  
Schamberger, Thomas  
Tilton, Joy  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Copeland, Timothy  
Flockhart, Eileen  
Helmstetter, Barbara  
Lovejoy, Patricia  
Muns, Chris  
Perkins, Amy  
Schlachman, Donna  
Sytek, John  
Wazlaw, Brian

Bishop, Franklin  
Cahill, Michael  
Cushing, Robert Jr  
Friel, William  
Hoelzel, Kathleen  
Mann, Maureen  
Packard, Sherman  
Perkins, Lawrence  
Sherman, Thomas  
Thompson, David  
Whittemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Hayes, Jack  
Khan, Aboul  
Milz, David  
Pantelakos, Laura  
Sanders, Elisabeth  
St.James, Kevin  
Till, Mary

Briden, Steven  
Charron, Gene  
Emerson-Brown, Rebecca  
Heffron, Frank  
Kolodziej, Walter  
Moody, Marcia  
Peckham, Michele  
Scarlottio, Joe  
Sweeney, Joe  
Waterhouse, Kevin

### STRAFFORD

Baber, William  
Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

Berube, Roger  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Verschuere, James

Bickford, David  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia  
and floor amendment (0696h) failed.

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gottling, Suzanne  
O'Heame, Andrew

Grenier, James  
Schmidt, Andrew

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Reps. Rideout, Burt and Vaillancourt spoke against and yielded to questions.  
Rep. Campbell spoke in favor and yielded to questions.  
Reps. McConkey, Cloutier and Bouchard spoke in favor.  
Reps. Tucker and Ladd spoke against.  
Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 207 NAYS 163****YEAS 207****BELKNAP**

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa  
Tilton, Franklin

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
Ticehurst, Susan

Butler, Edward

Lavender, Tom

McConkey, Mark

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Phillips, Larry  
Shepardson, Marjorie

Burridge, Delmar  
Johnsen, Gladys  
Roberts, Kris  
Weber, Lucy

Butynski, William  
Lerandeau, Alfred  
Robertson, Timothy  
Weed, Charles

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
DiSilvestro, Linda  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Kelley, John  
MacKay, Mariellen  
Nelson, Mary  
Rhodes, Brian  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Beaulieu, Jane  
Chandley, Shannon  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Jasper, Shawn  
Knowles, Mary Ann  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rokas, Ted  
Soucy, Timothy  
Takesian, Charlene  
Winters, Joel

Boisvert, Ronald  
Connor, Evelyn  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Katsiantonis, George  
Levesque, Melanie  
McCloskey, David  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Vail, Suzanne  
Woodbury, David

Brown, Pam  
Danielson, David  
Gidge, Kenneth  
Graham, John  
Heden, Ruth  
Katsiantonis, Thomas  
Long, Patrick  
McNamara, Richard  
Ramsey, Peter  
Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael

Borden, David  
Cali-Pitts, Jacqueline

Briden, Steven  
Cushing, Robert Jr

Burtis, Elizabeth  
Emerson-Brown, Rebecca

Flockhart, Eileen  
Khan, Aboul  
Moody, Marcia  
Schlachman, Donna  
Waterhouse, Kevin

Friel, William  
Lovejoy, Patricia  
Muns, Chris  
Sherman, Thomas  
Wazlaw, Brian

Heffron, Frank  
Mann, Maureen  
Pantelakos, Laura  
Sytek, John  
Whittemore, Lisa

Helmstetter, Barbara  
Milz, David  
Scarlotta, Joe  
Till, Mary

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

### NAYS 163

### BELKNAP

Burchell, Richard  
Fink, Charles  
 Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Vadney, Herbert

Cormier, Jane  
Holmes, Stephen  
Worsman, Colette

Fields, Dennis  
Luther, Robert

### CARROLL

Ahlgren, Christopher  
Merrow, Harry  
White, Syndi

Chandler, Gene  
Nelson, Bill  
Wright, Donald

Cordelli, Glenn  
Schmidt, Stephen

Crawford, Karel  
Umberger, Karen

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

Parkhurst, Henry

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Thomas, Yvonne

### GRAFTON

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

### HILLSBOROUGH

Belanger, James  
Carroll, Douglas  
Cote, David  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
Leishman, Peter  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Rosenwald, Cindy  
Shaw, Barbara  
Ulery, Jordan  
Willette, Robert

Boehm, Ralph  
Cebrowski, John  
Culbert, Patrick  
Garcia, Michael  
Hikel, John  
Kurk, Neal  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Rowe, Robert  
Straight, Philip  
Vaillancourt, Steve

Burt, John  
Christiansen, Lars  
Daniels, Gary  
Gargas, Carolyn  
Hinch, Richard  
Lambert, George  
Marston, Dick  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Sanborn, Laurie  
Stroud, Kathleen  
Villeneuve, Moe

Byron, Frank  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
LeBrun, Donald  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Sandblade, Emily  
Sweeney, Shawn  
Warden, Mark



**MERRIMACK**

Hoell, J.R.  
Smith, Todd

McGuire, Carol  
Walsh, Thomas IV

McGuire, Dan

Reed, Dennis

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
McKinney, Betsy  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Tasker, Kyle  
Webb, James Sr

Allen, Mary  
Bishop, Franklin  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Grace, Curtis  
Hayes, Jack  
Kappler, Lawrence  
McMahon, Charles  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Thompson, David  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Danaïs, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Hodgdon, Bruce  
Kolodziej, Walter  
O'Connor, John  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Tremblay, Stella

Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Major, Norman  
Packard, Sherman  
Priestley, Anne  
Schroadter, Adam  
Tamburello, Daniel  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

**SULLIVAN**

Rollins, Skip

Smith, Steven

and the committee report was adopted and referred to the Committee on Ways and Means.

**(Rep. Kaen in the Chair)**

**SPECIAL ORDER**

**HB 273-FN-L**, authorizing the commissioner of the department of resources and economic development to enter into contracts for provision of free Wifi Internet access at Hampton Beach state park. **INEXPEDIENT TO LEGISLATE.**

Rep. Jane E. Beaulieu for Resources, Recreation and Development: This bill was drafted to authorize the state to enter into contracts with the Hampton Beach Village Precinct to provide free Wifi Internet access to Hampton Beach State Park. The department of resources and economic development (DRED) already has the ability to enter into agreements. In addition, representatives from the departments of information technology, the state's core network and their providers, raised several concerns, including the costs to, liabilities for and expectations of the state. The committee encourages the precinct to continue dialogue with local businesses, DRED and other stakeholders. Vote 17-0. Committee report adopted.

**HB 295**, requiring criminal background checks for volunteers and employees at youth skill camps.

**MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. James D. Aguiar for the Majority of Resources, Recreation and Development: This bill fills a gap in the attempt to protect young people from harm, including sexual and physical abuse, at the hands of those employed at, volunteering for or operating specialized skills camps. For many years, individuals or groups operating recreational camps have been required to conduct background checks on all employees or volunteers at said camps, these include your classic summer camps where boys and girls learn to swim, canoe, hike, start a campfire, etc. In relatively recent history, there has been an explosion of specialized camps where specified "skills" have been the focus, such as basketball, tennis or music, to name a few. Such camps have been exempt from background checks for all staff. This bill requires that any individual or entity operating such a camp certify to the department of environmental services (DES) that it has conducted background checks on all staff and employees whose duties bring them in contact with children at the camp. Since this requirement will demand a significant increase in the workload for DES, a fee of \$25 will be charged to any individual,

group or entity applying for a license to operate such a camp in the State of New Hampshire. This bill also establishes a dedicated fund to cover the costs of verifying, documenting and storing the information associated with said background checks. Vote 17-2.

Rep. Andrew Renzullo for the Minority of Resources, Recreation and Development: While the minority supports the concept of requiring background checks for volunteers and employees at youth skill camps, it cannot support the imposition of a \$25 fee paid to the Department of Environmental Services (DES).

### Majority Amendment (0450h)

Amend the bill by replacing all after the enacting clause with the following:

I Safety Regulations; Subdivision Heading Amended. Amend the subdivision heading preceding RSA 485-A:23 to read as follows:

#### Safety Regulations *for Camps, Pools, and Bathing Places*

2 Definition of Recreation Camp and Youth Skill Camp. RSA 485-A:23 is repealed and reenacted to read as follows:

485-A:23 Definitions. In this subdivision:

I. "Recreation camp" means any place set apart for recreational purposes for boys and girls. It shall not be construed to apply to private camps owned or leased for individual or family use, or to any camp operated for a period of less than 10 days in a year.

II. "Youth skill camp" means a nonprofit or for-profit program that lasts 8 hours or more that is operated by an entity, other than a municipality, for the purpose of teaching a skill to minors. Such camps include, but are not limited to, the teaching of sports, the arts, and scientific inquiry.

3 Recreation Camp Licensing and Youth Skill Camp Certification; Criminal Background Check Required. Amend RSA 485-A:24 and RSA 485-A:25 to read as follows:

485-A:24 *Recreation Camp* License; [Fee] *Youth Skill Camp Certification of Criminal Background Check*.

I. No person shall for profit or for charitable purposes operate any *recreation camp, as defined in RSA 485-A:23, I*, designed or intended as a vacation or recreation resort, without a license issued by the department. Said license is to be conditioned upon the maintenance of clean, healthful sanitary conditions and methods, as determined and approved by said department, good only for the calendar year in which it is issued and subject to suspension or revocation at any time for cause. The fee for such license shall be \$50 [to] *which shall be paid into the [state treasury] recreation camp and youth skill camp fund established in RSA 485-A:24-a.*

II.(a) *No person or entity, other than a municipality, shall for profit or for charitable purposes operate any youth skill camp, as defined in RSA 485-A:23, II, without having performed background checks on the camp owners, all employees, and all volunteers at the camp and having certified to the department that no individual has a criminal conviction for any offense involving:*

(1) *Causing or threatening direct physical injury to any individual; or*

(2) *Causing or threatening harm of any nature to any child or children.*

(b) *Any person or entity required to perform background checks and provide certification to the department pursuant to subparagraph (a) shall pay a fee of \$25 to the department. All such fees collected by the department shall be deposited into the recreation camp and youth skill camp fund established in RSA 485-A:24-a.*

(c) *Subparagraphs (a) and (b) shall not apply to any person or entity which owns property used to operate a youth skill camp or any buildings or structures on such property used in the operation of a youth skill camp, provided such person or entity obtains written certification signed by the youth skill camp operator stating that background checks in accordance with this paragraph have been completed.*

485-A:25 Rulemaking.

I. The commissioner shall adopt rules under RSA 541-A relative to:

(a) Issuance of licenses to *recreation camp operators under RSA 485-A:24, I.*

(b) *Requirements for performing criminal background checks at youth skill camps and certifying acceptable results.*

(c) Water quality-related issues for the protection of persons using *recreation camp facilities regulated under [this subdivision] RSA 485-A:24, I.*

II. The commissioner, in consultation with the department of health and human services, shall adopt all other necessary rules under RSA 541-A, relative to public health and safety issues for the protection of persons [using camp facilities regulated under this subdivision] *attending recreation camps regulated under RSA 485-A:24, I.*

4 New Section; Water Pollution and Waste Disposal; Fund Established. Amend 485-A by inserting after section 24 the following new section:

485-A:24-a Recreation Camp and Youth Skill Camp Fund. There is established in the office of the state treasurer a nonlapsing fund to be known as the recreation camp and youth skill camp fund to be administered by the commissioner of the department of environmental services, and which shall be kept distinct and separate from all other funds. All moneys in the fund shall be continually appropriated to the commissioner of the department of environmental services for the purpose of paying costs associated with administering the provisions of RSA 485-A:24 and 485-A:25.

5 Safety Regulations; Injunction. Amend RSA 485-A:27 to read as follows:

485-A:27 Injunction. Any person operating or maintaining a [youth] *recreation* camp, *youth skill camp*, [or] public swimming pool, or bathing place without the same having been approved by the department may be enjoined by the superior court or any justice of the court upon petition brought by the attorney general.

6 New Subparagraph; Application of Receipts; Recreation Camp and Youth Skill Camp Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) Moneys deposited into the recreation camp and youth skill camp fund established in RSA 485-A:24-a.

7 Effective Date. This act shall take effect 30 days after its passage.

### AMENDED ANALYSIS

This bill requires youth skill camp operators to certify to the department of environmental services that their employees and volunteers have undergone a criminal background check. The bill also establishes a recreation camp and youth skill camp fund.  
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Baldasaro requested a roll call; sufficiently seconded.

### YEAS 244 NAYS 112

#### YEAS 244

##### BELKNAP

Arsenault, Beth  
Gulick, Ruth  
Vadney, Herbert

DiMartino, Lisa  
Huot, David  
Worsman, Colette

Fields, Dennis  
Raymond, Ian

Greemore, Robert Jr  
Tilton, Franklin

##### CARROLL

Ahlgren, Christopher  
Lavender, Tom  
White, Syndi

Buco, Thomas  
Merrow, Harry  
Wright, Donald

Butler, Edward  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan

##### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

##### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

##### GRAFTON

Aguiar, James  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr

Almy, Susan  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid

Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda

Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Nordgren, Sharon  
Smith, Suzanne

Pastor, Beatriz  
Sykes, George

Piper, Wendy  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murotake, David  
Ramsey, Peter  
Sanborn, Laurie  
Soucy, Timothy  
Takesian, Charlene  
Woodbury, David

Beaulieu, Jane  
Carroll, Douglas  
Danielson, David  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Jasper, Shawn  
Kurk, Neal  
Levesque, Melanie  
Marston, Dick  
Nelson, Mary  
Rhodes, Brian  
Schmidt, Janice  
Spratt, Stephen  
Vail, Suzanne

Boisvert, Ronald  
Chandley, Shannon  
DiSilvestro, Linda  
Gidge, Kenneth  
Graham, John  
Heden, Ruth  
Katsiantonis, Thomas  
LeBrun, Donald  
Long, Patrick  
McCloskey, David  
O'Brien, Michael Sr  
Rokas, Ted  
Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr

Brown, Pam  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Infantine, William  
Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

### MERRIMACK

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Smith, Todd  
Walsh, Thomas IV

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Ratzki, Mario  
Schamberg, Thomas  
Tilton, Joy  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Turcotte, Alan  
Watrous, Rick

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Wallner, Mary Jane  
Webb, Leigh

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Friel, William  
Helmstetter, Barbara  
Moody, Marcia  
Peckham, Michele  
Schlachman, Donna  
Till, Mary

Allen, Mary  
Briden, Steven  
Copeland, Timothy  
Emerick, J. Tracy  
Grace, Curtis  
Lovejoy, Patricia  
Muns, Chris  
Perkins, Lawrence  
Sherman, Thomas  
Wazlaw, Brian

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Cushing, Robert Jr  
Emerson-Brown, Rebecca  
Hayes, Jack  
Mann, Maureen  
Packard, Sherman  
Priestley, Anne  
St.James, Kevin  
Whittemore, Lisa

Birdsell, Regina  
Cahill, Michael  
DeSimone, Debra  
Flockhart, Eileen  
Heffron, Frank  
McKinney, Betsy  
Pantelakos, Laura  
Scarlotta, Joe  
Sytek, John

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Beaudoin, Steven  
Gardner, Janice  
Horriggan, Timothy  
Menear, H. Robert III  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

Burdwood, Greg  
Grossman, Kenneth  
Ketel, Stephen  
Mullen, John Jr  
Schmidt, Peter  
Verschueren, James

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
O'Hearne, Andrew  
Tanner, Linda

Grenier, James  
Rollins, Skip

Irwin, Virginia  
Schmidt, Andrew

**NAYS 112****BELKNAP**

Burchell, Richard  
Holmes, Stephen

Comtois, Guy  
Sylvia, Michael

Cormier, Jane

Fink, Charles

**CARROLL**

Cordelli, Glenn

McConkey, Mark

Nelson, Bill

Umberger, Karen

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad

**HILLSBOROUGH**

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Haefner, Robert  
Hopper, Gary  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Vaillancourt, Steve  
Winters, Joel

Boehm, Ralph  
Christiansen, Lars  
Flanagan, Jack  
Hansen, Peter  
Lambert, George  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Villeneuve, Moe

Burt, John  
Coffey, James  
Gagne, Larry  
Hikel, John  
McCarthy, Michael  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Sweeney, Shawn  
Warden, Mark

Byron, Frank  
Culbert, Patrick  
Garcia, Michael  
Hinch, Richard  
Meaney, Richard  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Shaw, Barbara  
Ulery, Jordan  
Willette, Robert

**MERRIMACK**

Hoell, J.R.  
Reed, Dennis

Lockwood, Priscilla

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Baldasaro, Alfred  
Comerford, Timothy  
Ferrante, Beverly  
Griffin, Mary  
Itse, Daniel  
Major, Norman  
Perkins, Amy  
Schroadter, Adam  
Thompson, David  
Webb, James Sr

Bick, Patrick  
Danais, Romeo  
Fesh, Robert  
Harris, Jeffrey  
Kappler, Lawrence  
McMahon, Charles  
Rice, Frederick  
Sedensky, John  
Tremblay, Stella  
Weyler, Kenneth

Charron, Gene  
Duarte, Joe  
Garcia, Marilinda  
Hodgdon, Bruce  
Khan, Aboul  
Milz, David  
Sanders, Elisabeth  
Sweeney, Joe  
Tucker, Pamela

Chirichiello, Brian  
Dumaine, Dudley  
Gordon, Richard  
Hoelzel, Kathleen  
Kolodziej, Walter  
O'Connor, John  
Sapareto, Frank  
Tamburello, Daniel  
Waterhouse, Kevin

**STRAFFORD**

Bickford, David  
Parsons, Robbie

Gray, James  
Pelletier, Marsha

Groen, Warren  
Pitre, Joseph

Jones, Laura

**SULLIVAN**

Gagnon, Raymond

Smith, Steven

and the majority committee report was adopted and referred to the Committee on Ways and Means. Rep. Moffett did not vote and notified the Clerk that he wished to be recorded in favor.

**HB 628-FN**, relative to underground storage tank and above ground storage tank certification.  
**MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Shannon E. Chandley for the Majority of Resources, Recreation and Development: The department of environmental services (DES) requires that underground storage tank (UST) and above ground storage tank (AST) contractors be certified by a professional organization (NACE or ICC). Contractors certified by these organizations have demonstrated competence and an appropriate level of knowledge in key areas of design, installation and decommissioning of USTs and ASTs, among other skills. The professional organizations require that contractors be tested every two years to be certified. This bill seeks to prohibit DES from requiring that AST and UST contractors take a repeat examination. In addition, this bill would transfer the responsibility for continuing education and recertification to the DES. The majority of the committee believes that the professional organizations are better able to administer AST and UST training and certification than DES. The bill presumes that the biennial testing in order to be certified is onerous, but that is the requirement of the professional organizations, not of DES. Vote 13-7.

Rep. Andrew Renzullo for the Minority of Resources, Recreation and Development: At present, the department of environmental services (DES) requires installers of underground and above ground storage tanks to be certified by a professional organization that requires they be retested every two years on up to five aspects of the installation process. This requirement is not required by statute, but has been instituted by rule at first voluntarily, now mandatory. This bill would allow DES to institute continuing educational requirements for license renewal, but prohibit a complete retesting for renewal. What other profession requires a complete retesting for the licensee to keep their license? It is the opinion of the minority that this bill is business friendly and decreases expensive and unnecessary regulation without affecting public safety.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, 207 members having voted in the affirmative and 143 in the negative, the majority committee report was adopted.

**HB 411-FN-A**, repealing a future reduction in vessel registration fees. **OUGHT TO PASS.**

Rep. Sherman A. Packard for Transportation: This bill repeals a reduction in vessel registration fees scheduled to take effect on July 1, 2015. Though many of us would like to reduce fees when possible, it is not realistic that such a reduction would be good for boating safety. Vote 12-2.

Rep. Burt spoke against.

Rep. Michael O'Brien spoke in favor and yielded to questions.

Rep. Flanagan requested a roll call; sufficiently seconded.

## YEAS 236 NAYS 117

### YEAS 236 BELKNAP

Arsenault, Beth  
Holmes, Stephen

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Gulick, Ruth

### CARROLL

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Morrow, Harry  
Umberger, Karen

Chandler, Gene  
Nelson, Bill  
White, Syndi

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Phillips, Larry  
Shepardson, Marjorie

Burridge, Delmar  
Emerson, Susan  
Roberts, Kris  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Robertson, Timothy  
Weed, Charles

### COOS

Coulombe, Gary  
Richardson, Herbert

Enman, Larry  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

### GRAFTON

Aguiar, James  
Ford, Susan

Almy, Susan  
Friedrich, Carol

Benn, Bernard  
Gionet, Edmond

Cooney, Mary  
Harding, Laurie

Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Lovett, Sid  
Pastor, Beatriz  
Sykes, George

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Connor, Evelyn  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Jasper, Shawn  
Leishman, Peter  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Shaw, Barbara  
Straight, Philip  
Vail, Suzanne  
Woodbury, David

Beaulieu, Jane  
Carroll, Douglas  
Cote, David  
Gagne, Larry  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Katsiantonis, Thomas  
Levesque, Melanie  
McCloskey, David  
Porter, Marjorie  
Rowe, Robert  
Smith, Timothy  
Sullivan, Daniel  
Walsh, Robert Jr

Boisvert, Ronald  
Chandley, Shannon  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Hinch, Richard  
Kelley, John  
Long, Patrick  
McNamara, Richard  
Rhodes, Brian  
Schmidt, Janice  
Soucy, Timothy  
Sullivan, Peter  
Willette, Robert

Brown, Pam  
Christiansen, Lars  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Jack, Martin  
Knowles, Mary Ann  
MacKay, Mariellen  
Nelson, Mary  
Rokas, Ted  
Shattuck, Gilman  
Spratt, Stephen  
Takesian, Charlene  
Williams, Kermit

### MERRIMACK

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
Myler, Mel  
Rice, Chip  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Richardson, Gary  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Reed, Dennis  
Schuett, Dianne  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Burtis, Elizabeth  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Friel, William  
Hoelzel, Kathleen  
McKinney, Betsy  
Packard, Sherman  
Schlachman, Donna  
Thompson, David  
Whittemore, Lisa

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Cushing, Robert Jr  
Ferrante, Beverly  
Griffin, Mary  
Khan, Aboul  
Moody, Marcia  
Pantelakos, Laura  
Sherman, Thomas  
Till, Mary

Borden, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Fesh, Robert  
Heffron, Frank  
Lovejoy, Patricia  
Muns, Chris  
Priestley, Anne  
St.James, Kevin  
Waterhouse, Kevin

Briden, Steven  
Chirichiello, Brian  
Emerick, J. Tracy  
Flockhart, Eileen  
Helmstetter, Barbara  
Mann, Maureen  
Norelli, Terie  
Scarlottio, Joe  
Sytek, John  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Gardner, Janice  
Horrigan, Timothy  
Meneer, H. Robert III  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Burdwood, Greg  
Grossman, Kenneth  
Ketel, Stephen  
Mullen, John Jr  
Rollo, Deanna  
Stevens, Audrey

Burke, Rachel  
Hooper, Dorothea  
Malloy, Dennis  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Sweeney, Cynthia

**NAYS 117****BELKNAP**

Burchell, Richard  
Greemore, Robert Jr  
Worsman, Colette

Comtois, Guy  
Sylvia, Michael

Cormier, Jane  
Tilton, Franklin

Fink, Charles  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher

Cordelli, Glenn

Lavender, Tom

Wright, Donald

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Hammon, Marcia

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad

Bradley, Lester

Doolan, Ralph Jr

**HILLSBOROUGH**

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Infantine, William  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Stroud, Kathleen  
Villeneuve, Moe

Boehm, Ralph  
Coffey, James  
Garcia, Michael  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Sweeney, Shawn  
Warden, Mark

Burt, John  
Culbert, Patrick  
Hansen, Peter  
Lambert, George  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Ulery, Jordan  
Winters, Joel

Byron, Frank  
Daniels, Gary  
Hikel, John  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Vaillancourt, Steve

**MERRIMACK**

Burns, Scott  
McGuire, Dan

Hirsch, Geoffrey  
Smith, Todd

Hoell, J.R.  
Walsh, Thomas IV

McGuire, Carol

**ROCKINGHAM**

Allen, Mary  
Charron, Gene  
Devine, James  
Gordon, Richard  
Hodgdon, Bruce  
Major, Norman  
Peckham, Michele  
Sanders, Elisabeth  
Tamburello, Daniel  
Weyler, Kenneth

Baldasaro, Alfred  
Comerford, Timothy  
Duarte, Joe  
Hagan, Joseph  
Itse, Daniel  
McMahon, Charles  
Perkins, Amy  
Schroadter, Adam  
Tremblay, Stella

Bick, Patrick  
Danais, Romeo  
Dumaine, Dudley  
Harris, Jeffrey  
Kappler, Lawrence  
Milz, David  
Perkins, Lawrence  
Sedensky, John  
Tucker, Pamela

Birdsell, Regina  
DeSimone, Debra  
Garcia, Marilinda  
Hayes, Jack  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
Sweeney, Joe  
Webb, James Sr

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

**SULLIVAN**

Rollins, Skip

Smith, Steven

and the committee report was adopted and referred to the Committee on Ways and Means.

(Speaker Norelli in the Chair)

**BILLS REMOVED FROM CONSENT CALENDAR OF 2-20-13****SPECIAL ORDER**

**HB 471**, establishing a commission to study dual enrollment programs. **INEXPEDIENT TO LEGISLATE.**



Rep. June M. Frazer for Education: The committee agreed that dual enrollment programs are already widespread in New Hampshire; hence, no legislation is needed to promote this practice. Vote 18-0. Rep. Kris Roberts spoke against.

Rep. Frazer spoke in favor.

On a division vote, 299 members having voted in the affirmative and 41 in the negative, the committee report was adopted.

### **SPECIAL ORDER**

**HB 277**, relative to the oath required of public officers. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert J. Perry for Election Law: This bill would require that any person who violates their oath of office shall be removed from said office "by the authority responsible for the original appointment." The committee determined that this bill, if enacted, would be unenforceable as the determination of what constitutes a violation of one's oath is subjective, perhaps arbitrary, absent judicial review. For example, a perceived violation of a police officer's oath might be an officer who tickets one person but not another. Vote 17-0.

Rep. Hoell spoke against.

Rep. Perry spoke in favor.

Committee report adopted.

### **SPECIAL ORDER**

**HB 423-L**, relative to amending official ballot warrant articles. **INEXPEDIENT TO LEGISLATE.**

Rep. James P. Belanger for Municipal and County Government: This bill would prohibit amending a petitioned warrant article at a deliberative session in an official ballot (RSA40) municipality. This would not allow any modifications to the article when new information might change the amount or clarify the intent. If a town meeting has a petitioned article to pave a parking lot for \$30,000 and the intent is to pave only part of the total parking area, the amount might be different based on more recent quotes. This bill would prevent clarification and modifications to correct things. Once a petitioned warrant article is received and "warned" in the original language, it should be treated like any other warrant article at the deliberative session. Tying the hands of voters at deliberative session may reduce the already low attendance because voters will feel ineffective. Warrant articles at deliberative session should not be treated so differently than those at traditional town meetings. Vote 15-0.

Rep. Frederick Rice spoke against and yielded to questions.

Reps. Emerick and Hoell spoke against.

Rep. James Belanger spoke in favor and requested a roll call; sufficiently seconded.

## **YEAS 286 NAYS 65**

### **YEAS 286**

#### **BELKNAP**

Arsenault, Beth	DiMartino, Lisa	Greemore, Robert Jr	Gulick, Ruth
Huot, David	Raymond, Ian	Vadney, Herbert	

#### **CARROLL**

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Crawford, Karel	Lavender, Tom	McConkey, Mark	Merrow, Harry
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
White, Syndi			

#### **CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Johnson, Jane	Mann, John	Parkhurst, Henry
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Weber, Lucy	Weed, Charles	Young, Harry

#### **COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihn, Wayne	Rappaport, Laurence	Richardson, Herbert	Theberge, Robert
Thomas, Yvonne			

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Bailey, Brad  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Piper, Wendy  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Reilly, Harold Sr  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald  
Carroll, Douglas  
Connor, Evelyn  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Hikel, John  
Jasper, Shawn  
Kurk, Neal  
Long, Patrick  
McCloskey, David  
O'Flaherty, Tim  
Parison, James  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Daniel  
Vallancourt, Steve  
Winters, Joel

Beaulieu, Jane  
Brown, Pam  
Chandley, Shannon  
Cote, David  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansen, Peter  
Hinch, Richard  
Katsiantonis, Thomas  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
Ober, Lynne  
Pellegrino, Tony  
Schmidt, Janice  
Soucy, Timothy  
Sullivan, Peter  
Walsh, Robert Jr  
Woodbury, David

Belanger, James  
Byron, Frank  
Christiansen, Lars  
Culbert, Patrick  
Flanagan, Jack  
Gargas, Carolyn  
Haefner, Robert  
Harriott-Gathright, Linda  
Infantine, William  
Kelley, John  
LeVasseur, Richard  
Manley, Jonathan Sr  
Nelson, Mary  
Ober, Russell III  
Porter, Marjorie  
Shattuck, Gilman  
Spratt, Stephen  
Takesian, Charlene  
Willette, Robert

Boehm, Ralph  
Campbell, David  
Coffey, James  
Daniels, Gary  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Jack, Martin  
Knowles, Mary Ann  
Levesque, Melanie  
McCarthy, Michael  
O'Brien, Michael Sr  
Palmer, Stephen  
Rhodes, Brian  
Shaw, Barbara  
Stroud, Kathleen  
Vail, Suzanne  
Williams, Kermit

**MERRIMACK**

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

**ROCKINGHAM**

Allen, Mary  
Borden, David  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Emerson-Brown, Rebecca  
Griffin, Mary  
Helmstetter, Barbara  
Lovejoy, Patricia  
Moody, Marcia  
Pantelakos, Laura  
Sanders, Elisabeth  
St.James, Kevin  
Till, Mary  
Webb, James Sr

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Charron, Gene  
DeSimone, Debra  
Ferrante, Beverly  
Harris, Jeffrey  
Hodgdon, Bruce  
Major, Norman  
Muns, Chris  
Perkins, Amy  
Scarlottio, Joe  
Sweeney, Joe  
Tucker, Pamela  
Weyler, Kenneth

Birdsell, Regina  
Burtis, Elizabeth  
Chirichiello, Brian  
Devine, James  
Fesh, Robert  
Hayes, Jack  
Hoelzel, Kathleen  
Mann, Maureen  
O'Connor, John  
Perkins, Lawrence  
Schlachman, Donna  
Sytek, John  
Waterhouse, Kevin  
Whittemore, Lisa

Bishop, Franklin  
Cahill, Michael  
Copeland, Timothy  
Elliott, Robert  
Flockhart, Eileen  
Heffron, Frank  
Kappler, Lawrence  
McKinney, Betsy  
Packard, Sherman  
Priestley, Anne  
Sherman, Thomas  
Thompson, David  
Wazlaw, Brian

**STRAFFORD**

Baber, William  
Burdwood, Greg  
Gray, James  
Jones, Laura  
Menear, H. Robert III  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Beaudoin, Steven  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Bickford, David  
Gardner, Janice  
Horrigan, Timothy  
Ketel, Stephen  
Parsons, Robbie  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Malloy, Dennis  
Pelletier, Marsha  
Schmidt, Peter  
Verschuereen, James

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip  
Tanner, Linda

**NAYS 65****BELKNAP**

Burchell, Richard  
Fink, Charles  
Worsman, Colette

Comtois, Guy  
Holmes, Stephen

Cormier, Jane  
Sylvia, Michael

Fields, Dennis  
Tilton, Franklin

**CARROLL**

Cordelli, Glenn

Wright, Donald

**CHESHIRE**

None

**COOS**

Rideout, Leon

**GRAFTON**

Mulholland, Catherine

**HILLSBOROUGH**

Burt, John  
Lambert, George  
Murotake, David  
O'Brien, William  
Rowe, Robert  
Sweeney, Shawn

Cebrowski, John  
LeBrun, Donald  
Murphy, Keith  
Peterson, Lenette  
Sanborn, Laurie  
Ulery, Jordan

Garcia, Michael  
Marston, Dick  
Murphy, Kelleigh  
Pratt, Calvin  
Sandblade, Emily  
Villeneuve, Moe

Graham, John  
Meaney, Richard  
Notter, Jeanine  
Renzullo, Andrew  
Straight, Philip

**MERRIMACK**

Hoell, J.R.

McGuire, Carol

McGuire, Dan

Reed, Dennis

**ROCKINGHAM**

Abrami, Patrick  
Danais, Romeo  
Friel, William  
Itse, Daniel  
Peckham, Michele  
Tamburello, Daniel

Baldasaro, Alfred  
Duarte, Joe  
Garcia, Marilinda  
Khan, Aboul  
Rice, Frederick  
Tremblay, Stella

Bick, Patrick  
Dumaine, Dudley  
Gordon, Richard  
Kolodziej, Walter  
Schroadter, Adam

Comerford, Timothy  
Emerick, J. Tracy  
Hagan, Joseph  
Milz, David  
Sedensky, John

**STRAFFORD**

Groen, Warren

Mullen, John Jr

Pitre, Joseph

**SULLIVAN**

None

and the committee report was adopted.

**BILLS REMOVED FROM THE CONSENT CALENDAR**

**HB 561-FN**, abolishing the department of cultural resources. **INEXPEDIENT TO LEGISLATE.** Rep. Lucy M. Weber for Executive Departments and Administration: This bill, in addition to abolishing the department of cultural resources, would transfer the division of libraries and the division of historical resources to the department of state and would transfer the film and television commission to the department of resources and economic development. There was overwhelming testimony that the relatively modest amounts expended on the department of cultural resources returns enormous benefits to the state. The department promotes programs which enrich the lives of our individual citizens, make the state a more desirable place to live, help artists and art organizations with marketing and business strategies, encourage tourism, enhance the revenue of other businesses and of the state and attract nearly a million dollars of federal grant money to the state. The secretary of state's office noted that they do not have staff qualified to absorb the two divisions proposed for transfer to them and gave their opinion that any savings would be negligible. The transfer would leave the two divisions without the capacity to attract and manage grants, which would, in turn, impact services. The committee members concluded that the current structure is working well and enhances not only quality of life, but business and state revenues. The state dollars spent are leveraged to provide greatly enhanced returns both to private businesses and through them, to the state as well. The committee members believe that the demonstrated benefits provided by the current structure greatly outweigh any potential short-term savings. Vote 17-0.

Rep. Weber spoke in favor.

Rep. Vaillancourt spoke against and requested a roll call; sufficiently seconded.

**YEAS 253 NAYS 86****YEAS 253****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis  
Worsman, Colette

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen

Butler, Edward  
Lavender, Tom  
Ticehurst, Susan

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Morrow, Harry  
White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

Butynski, William  
Hunt, John  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Brown, Pam  
Cebrowski, John

Beaulieu, Jane  
Byron, Frank  
Chandley, Shannon

Belanger, James  
Campbell, David  
Connor, Evelyn

Boisvert, Ronald  
Carroll, Douglas  
Cote, David

Culbert, Patrick  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Katsiantonis, Thomas  
Leishman, Peter  
Manley, Jonathan Sr  
Nelson, Mary  
Rosenwald, Cindy  
Spratt, Stephen  
Takesian, Charlene  
Winters, Joel

Danielson, David  
Gagne, Larry  
Gorman, Mary  
Hammond, Jill  
Hinch, Richard  
Kelley, John  
Levesque, Melanie  
McCarthy, Michael  
O'Brien, Michael Sr  
Schmidt, Janice  
Sullivan, Daniel  
Vail, Suzanne  
Woodbury, David

DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Infantine, William  
Knowles, Mary Ann  
Long, Patrick  
McCloskey, David  
Pellegrino, Tony  
Shattuck, Gilman  
Sullivan, Peter  
Walsh, Robert Jr

Flanagan, Jack  
Gargasz, Carolyn  
Graham, John  
Harriott-Gathright, Linda  
Jack, Martin  
Kurk, Neal  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Smith, Timothy  
Sweeney, Shawn  
Williams, Kermit

### MERRIMACK

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
McGuire, Carol  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
MacKay, James  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Charron, Gene  
Danais, Romeo  
Fesh, Robert  
Hayes, Jack  
Kappler, Lawrence  
Major, Norman  
Pantelakos, Laura  
Scarlotto, Joe  
Sweeney, Joe  
Tucker, Pamela

Bick, Patrick  
Burtis, Elizabeth  
Chirichiello, Brian  
DeSimone, Debra  
Flockhart, Eileen  
Heffron, Frank  
Khan, Aboul  
Mann, Maureen  
Peckham, Michele  
Schlachman, Donna  
Sytek, John  
Waterhouse, Kevin

Bishop, Franklin  
Cahill, Michael  
Copeland, Timothy  
Elliott, Robert  
Griffin, Mary  
Helmstetter, Barbara  
Kolodziej, Walter  
Moody, Marcia  
Priestley, Anne  
Sedensky, John  
Thompson, David  
Wazlaw, Brian

Borden, David  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Emerson-Brown, Rebecca  
Harris, Jeffrey  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Packard, Sherman  
Sanders, Elisabeth  
Sherman, Thomas  
Till, Mary  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burke, Rachel  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Beaudoin, Steven  
Grassie, Anne  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Grossman, Kenneth  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Verschuereen, James

Burdwood, Greg  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
O'Hearne, Andrew  
Tanner, Linda

Grenier, James  
Rollins, Skip

### NAYS 86 BELKNAP

Burchell, Richard  
Holmes, Stephen

Cormier, Jane  
Sylvia, Michael

Fink, Charles  
Tilton, Franklin

Greemore, Robert Jr  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher	Nelson, Bill	Wright, Donald
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**CHESHIRE**

Johnson, Jane

**COOS**

Rideout, Leon

**GRAFTON**

Bailey, Brad	Reilly, Harold Sr
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**HILLSBOROUGH**

Boehm, Ralph	Burt, John	Christiansen, Lars	Coffey, James
Daniels, Gary	Garcia, Michael	Hansen, Peter	Hikel, John
Jasper, Shawn	Lambert, George	LeBrun, Donald	LeVasseur, Richard
Marston, Dick	Meaney, Richard	Murotake, David	Murphy, Keith
Murphy, Kelleigh	Notter, Jeanine	O'Brien, William	O'Flaherty, Tim
Palmer, Stephen	Parison, James	Peterson, Lenette	Pratt, Calvin
Renzullo, Andrew	Sanborn, Laurie	Sandblade, Emily	Shaw, Barbara
Straight, Philip	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Warden, Mark	Willette, Robert		

**MERRIMACK**

Hoell, J.R.	McGuire, Dan	Reed, Dennis
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**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Birdsell, Regina	Comerford, Timothy
Devine, James	Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy
Ferrante, Beverly	Friel, William	Gordon, Richard	Hagan, Joseph
Hodgdon, Bruce	Itse, Daniel	Milz, David	Muns, Chris
O'Connor, John	Perkins, Amy	Perkins, Lawrence	Rice, Frederick
Schroadter, Adam	Tamburello, Daniel	Tremblay, Stella	Webb, James Sr
Weyler, Kenneth			

**STRAFFORD**

Bickford, David	Gardner, Janice	Gray, James	Groen, Warren
Jones, Laura	Mullen, John Jr	Parsons, Robbie	Pitre, Joseph

**SULLIVAN**

Smith, Steven  
and the committee report was adopted.

***HB 479-FN-L*, relative to the creation and division of school districts. **INEXPEDIENT TO LEGISLATE.****

Rep. Beth R. Arsenault for Education: This bill would allow any group of ten residents to create its own school district with no consent from the school district or its residents. It further allows those residents to take their tax dollars with them. The new district could be exempt from state mandates and waive state funding. The committee was concerned that the new district could cherry-pick higher taxed properties to the detriment of the original district and could create uncertainty with school budgeting. Vote 18-0.

Rep. Hoell spoke against.

Rep. Arsenault spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

**YEAS 287 NAYS 48****YEAS 287****BELKNAP**

Arsenault, Beth	DiMartino, Lisa	Fields, Dennis	Greemore, Robert Jr
Gulick, Ruth	Huot, David	Raymond, Ian	Tilton, Franklin
Vadney, Herbert			

**CARROLL**

Ahlgren, Christopher  
Cordelli, Glenn  
Merrow, Harry  
Umberger, Karen

Buco, Thomas  
Crawford, Karel  
Nelson, Bill  
White, Syndi

Butler, Edward  
Lavender, Tom  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Rideout, Leon

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew

Almy, Susan  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Bailey, Brad  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald  
Chandlee, Shannon  
Culbert, Patrick  
Flanagan, Jack  
Gargas, Carolyn  
Graham, John  
Hansen, Peter  
Hinch, Richard  
Kelley, John  
LeVasseur, Richard  
Manley, Jonathan Sr  
McNamara, Richard  
Pellegrino, Tony  
Sanborn, Laurie  
Smith, Timothy  
Sweeney, Shawn  
Vaillancourt, Steve  
Winters, Joel

Beaulieu, Jane  
Brown, Pam  
Coffey, James  
Daniels, Gary  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Harriott-Gathright, Linda  
Jack, Martin  
Knowles, Mary Ann  
Levesque, Melanie  
Marston, Dick  
Nelson, Mary  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Takesian, Charlene  
Walsh, Robert Jr  
Woodbury, David

Belanger, James  
Byron, Frank  
Connor, Evelyn  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Jasper, Shawn  
Kurk, Neal  
Long, Patrick  
McCarthy, Michael  
O'Brien, Michael Sr  
Renzullo, Andrew  
Shattuck, Gilman  
Sullivan, Daniel  
Ulery, Jordan  
Willette, Robert

Boehm, Ralph  
Campbell, David  
Cote, David  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Hikel, John  
Katsiantonis, Thomas  
Leishman, Peter  
MacKay, Mariellen  
McCloskey, David  
Palmer, Stephen  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Peter  
Vail, Suzanne  
Williams, Kermit

**MERRIMACK**

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
Moffett, Howard  
Reed, Dennis  
Schamberg, Thomas  
Turcotte, Alan  
Watrouts, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

**ROCKINGHAM**

Abami, Patrick  
Birdsell, Regina  
Cahill, Michael  
Copeland, Timothy  
Devine, James  
Flockhart, Eileen  
Hayes, Jack  
Hoelzel, Kathleen  
Major, Norman  
Muns, Chris  
Peckham, Michele  
Rice, Frederick  
Sherman, Thomas  
Till, Mary  
Whittemore, Lisa

Allen, Mary  
Borden, David  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Elliott, Robert  
Friel, William  
Heffron, Frank  
Kappler, Lawrence  
Mann, Maureen  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
Sweeney, Joe  
Waterhouse, Kevin

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Charron, Gene  
Danaïs, Romeo  
Emerson-Brown, Rebecca  
Griffin, Mary  
Helmstetter, Barbara  
Khan, Aboul  
Miltz, David  
Packard, Sherman  
Perkins, Lawrence  
Schlachman, Donna  
Sytek, John  
Wazlaw, Brian

Bick, Patrick  
Burtis, Elizabeth  
Chirichiello, Brian  
DeSimone, Debra  
Fesh, Robert  
Harris, Jeffrey  
Hodgdon, Bruce  
Lovejoy, Patricia  
Moody, Marcia  
Pantelakos, Laura  
Priestley, Anne  
Sedensky, John  
Thompson, David  
Webb, James Sr

**STRAFFORD**

Baber, William  
Burdwood, Greg  
Gray, James  
Kaen, Naida  
Miller, David  
Perry, Robert  
Schmidt, Peter  
Verschuere, James

Beaudoin, Steven  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Mullen, John Jr  
Pitre, Joseph  
Smith, Marjorie  
Wall, Janet

Bickford, David  
Gardner, Janice  
Horrigian, Timothy  
Malloy, Dennis  
Parsons, Robbie  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Pelletier, Marsha  
Rollo, Deanna  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip  
Tanner, Linda

**NAYS 48****BELKNAP**

Burchell, Richard  
Sylvia, Michael

Cormier, Jane  
Worsman, Colette

Fink, Charles

Holmes, Stephen

**CARROLL**

Wright, Donald

**CHESHIRE**

Hunt, John

**COOS**

Rappaport, Laurence

**GRAFTON**

None

**HILLSBOROUGH**

Burt, John  
Infantine, William  
Murotake, David  
O'Brien, William  
Pratt, Calvin  
Warden, Mark

Cebrowski, John  
Lambert, George  
Murphy, Keith  
O'Flaherty, Tim  
Sandblade, Emily

Christiansen, Lars  
LeBrun, Donald  
Murphy, Kelleigh  
Parison, James  
Straight, Philip

Garcia, Michael  
Meaney, Richard  
Notter, Jeanine  
Peterson, Lenette  
Villeneuve, Moe

**MERRIMACK**

Hoell, J.R.

McGuire, Carol

McGuire, Dan



**ROCKINGHAM**

Bishop, Franklin  
 Emerick, J. Tracy  
 Itse, Daniel  
 Tremblay, Stella

Comerford, Timothy  
 Ferrante, Beverly  
 Kolodziej, Walter  
 Weyler, Kenneth

Duarte, Joe  
 Gordon, Richard  
 Schroadter, Adam

Dumaine, Dudley  
 Hagan, Joseph  
 Tamburello, Daniel

**STRAFFORD**

Groen, Warren

**SULLIVAN**

None

and the committee report was adopted.

**SPECIAL ORDERED**

Without objection, the Speaker made ***SB 40-FN-L***, relative to distribution of education funds for fiscal year 2013, a special order as the next order of business.

**SPECIAL ORDER**

***SB 40-FN-L***, relative to distribution of education funds for fiscal year 2013. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan M. Ford for the Majority of Finance: This bill applies a fix to address a technical error by the department of education that caused school districts to rely on the wrong set of figures in creating their 2013 budgets. If we don't make this correction, many towns may have to go back and revote on a new budget and in many cases, assess higher taxes on citizens, in addition to the increase expected at town meetings for this year. By making this correction we will prevent confusion, delay, and a possible potential for higher tax bills for citizens in 77 of the towns in the state. Appropriations for adequate education grants were unchanged during the budget process for 2012-2013, so applying a hold harmless provision for 2013 will not require any additional appropriations. Appropriations for adequate grants were level funded for FY 2012 and FY 2013 during the budget process at approximately \$578.2 million. The department of education's current estimate of adequate education grants for FY 2013 is \$574.8 million. Therefore, the \$3.4 million additional cost of the proposed hold harmless grant can be absorbed within the existing appropriation for FY 2013. Vote 22-1.

Rep. Neal M. Kurk for the Minority of Finance: The department of education is responsible for the miscalculation that led to this bill. The miscalculation led districts to vote on their budgets in March assuming a higher amount of state adequacy funding than they will actually receive for the 2012-13 school year. The overall shortfall, some \$3.4 million, is less than one-half of one percent of total state adequacy funding. Seventy-seven districts are affected to a minor degree, although the shortfall is a significant percentage for a very small number of districts. In light of the state's projected general fund \$30 million deficit for the current biennium, and the increased demands for state services in the upcoming biennium, it would be prudent to use this money to minimize significant challenges for other programs in balancing the next budget.

Rep. Wallner requested a roll call; sufficiently seconded.

**YEAS 302 NAYS 34****YEAS 302****BELKNAP**

Arsenault, Beth  
 Fink, Charles  
 Huot, David  
 Worsman, Colette

Burchell, Richard  
 Greemore, Robert Jr  
 Raymond, Ian

DiMartino, Lisa  
 Gulick, Ruth  
 Tilton, Franklin

Fields, Dennis  
 Holmes, Stephen  
 Vadney, Herbert

**CARROLL**

Buco, Thomas  
 Crawford, Karel  
 Nelson, Bill  
 White, Syndi

Butler, Edward  
 Lavender, Tom  
 Schmidt, Stephen  
 Wright, Donald

Chandler, Gene  
 McConkey, Mark  
 Ticehurst, Susan

Cordelli, Glenn  
 Merrow, Harry  
 Umberger, Karen

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Moynihan, Wayne  
Thomas, Yvonne

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Rideout, Leon

Hatch, William  
Theberge, Robert

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Brown, Pam  
Carroll, Douglas  
Coffey, James  
Daniels, Gary  
Gagne, Larry  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Brien, Michael Sr  
Pellegrino, Tony  
Sarnborn, Laurie  
Shaw, Barbara  
Sullivan, Daniel  
Vail, Suzanne  
Williams, Kermit

Beaulieu, Jane  
Burt, John  
Cebrowski, John  
Connor, Evelyn  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Infantine, William  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
Meaney, Richard  
O'Brien, William  
Porter, Marjorie  
Sandblade, Emily  
Smith, Timothy  
Sullivan, Peter  
Vaillancourt, Steve  
Winters, Joel

Belanger, James  
Byron, Frank  
Chandlee, Shannon  
Cote, David  
DiSilvestro, Linda  
Garcia, Michael  
Grady, Brenda  
Hansberry, Daniel  
Jack, Martin  
Lambert, George  
Levesque, Melanie  
McCarthy, Michael  
Murotake, David  
Palmer, Stephen  
Pratt, Calvin  
Schmidt, Janice  
Spratt, Stephen  
Sweeney, Shawn  
Walsh, Robert Jr  
Woodbury, David

Boisvert, Ronald  
Campbell, David  
Christiansen, Lars  
Culbert, Patrick  
Gage, Ruth  
Gargas, Carolyn  
Graham, John  
Harriott-Gathright, Linda  
Katsiantonis, Thomas  
LeBrun, Donald  
Long, Patrick  
McCloskey, David  
Nelson, Mary  
Parison, James  
Rosenwald, Cindy  
Shattuck, Gilman  
Straight, Philip  
Takesian, Charlene  
Willette, Robert

**MERRIMACK**

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
McGuire, Dan  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
McGuire, Carol  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina

Allen, Mary  
Bishop, Franklin

Andrews-Ahearn, E. Elaine  
Borden, David

Bick, Patrick  
Briden, Steven

Burtis, Elizabeth  
Chirichiello, Brian  
Danais, Romeo  
Elliott, Robert  
Flockhart, Eileen  
Hayes, Jack  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Moody, Marcia  
Pantelakos, Laura  
Priestley, Anne  
Sedensky, John  
Tamburello, Daniel  
Waterhouse, Kevin

Cahill, Michael  
Comerford, Timothy  
DeSimone, Debra  
Emerick, J. Tracy  
Friel, William  
Heffron, Frank  
Kappler, Lawrence  
Major, Norman  
Muns, Chris  
Peckham, Michele  
Rice, Frederick  
Sherman, Thomas  
Thompson, David  
Wazlaw, Brian

Cali-Pitts, Jacqueline  
Copeland, Timothy  
Duarte, Joe  
Emerson-Brown, Rebecca  
Griffin, Mary  
Helmstetter, Barbara  
Khan, Aboul  
Mann, Maureen  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
Sweeney, Joe  
Till, Mary  
Webb, James Sr

Charron, Gene  
Cushing, Robert Jr  
Dumaine, Dudley  
Fesh, Robert  
Harris, Jeffrey  
Hodgdon, Bruce  
Kolodziej, Walter  
Milz, David  
Packard, Sherman  
Perkins, Lawrence  
Schlachman, Donna  
Sytek, John  
Tremblay, Stella  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burdwood, Greg  
Gray, James  
Jones, Laura  
Menear, H. Robert III  
Pitre, Joseph  
Smith, Marjorie  
Wall, Janet

Beaudoin, Steven  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Bickford, David  
Gardner, Janice  
Horrigan, Timothy  
Ketel, Stephen  
Mullen, John Jr  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Malloy, Dennis  
Perry, Robert  
Schmidt, Peter  
Verschuereen, James

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip  
Tanner, Linda

### NAYS 34 BELKNAP

Cormier, Jane

Sylvia, Michael

### CARROLL

Ahlgren, Christopher

### CHESHIRE

Hunt, John

### COOS

None

### GRAFTON

Bailey, Brad

### HILLSBOROUGH

Boehm, Ralph  
Hinch, Richard  
Murphy, Keith  
Peterson, Lenette  
Warden, Mark

Flanagan, Jack  
Jasper, Shawn  
Murphy, Kelleigh  
Renzullo, Andrew

Hansen, Peter  
Kurk, Neal  
Notter, Jeanine  
Ulery, Jordan

Hikel, John  
Marston, Dick  
O'Flaherty, Tim  
Villeneuve, Moe

### MERRIMACK

Hess, David

Hoell, J.R.

Reed, Dennis

### ROCKINGHAM

Devine, James  
Itse, Daniel

Ferrante, Beverly  
Schroadter, Adam

Gordon, Richard  
Weyler, Kenneth

Hagan, Joseph

**STRAFFORD**

Groen, Warren

Parsons, Robbie

**SULLIVAN**

None

and the majority committee report was adopted and ordered to third reading.

Rep. Pelletier did not vote and notified the Clerk that she wished to be recorded in favor.

**HOUSE RESOLUTION 8**

A RESOLUTION affirming revenue estimates for fiscal years 2013, 2014, and 2015.

Whereas, the House Ways and Means Committee has considered what the unrestricted revenue estimates should be for fiscal years 2013, 2014, 2015 and has presented those estimates to the House of Representatives;

Resolved by the House of Representatives:

That the House wishes to go on record as affirming the following revenue estimates for fiscal years 2013, 2014, and 2015.

Committee estimates are based on current rates.

	FY 2013		FY 2014	FY 2015
<b>GEN'L &amp; EDUCATION</b>				
<b>TRUST FUND:</b>	<b>Official</b>	<b>Committee</b>	<b>Committee</b>	<b>Committee</b>
<b>(Dollars in Millions)</b>	<b>Estimate</b>	<b>Estimate</b>	<b>Estimate</b>	<b>Estimate</b>
Business Profits Tax	\$322.000	\$307.600	\$306.600	\$314.000
Business Enterprise Tax	<u>196.100</u>	<u>198.400</u>	<u>204.400</u>	<u>209.400</u>
Subtotal	518.100	506.000	511.000	523.400
Meals & Rooms Tax	234.300	250.000	258.300	270.100
Tobacco Tax	219.000	207.500	199.200	191.300
Liquor Sales	139.000	129.000	132.400	135.800
Interest & Dividends Tax	87.100	94.000	95.400	97.400
Insurance Tax	86.800	86.800	86.900	109.500
Communications Tax	82.400	66.500	66.500	63.300
Real Estate Transfer Tax	81.200	95.200	102.800	107.900
Court Fines & Fees	13.800	13.700	13.700	13.700
Securities Revenue	35.900	38.200	37.600	37.600
Utility Consumption Tax	6.000	6.000	5.900	5.900
Board & Care Revenue	21.000	26.700	27.500	28.200
Beer Tax	13.200	13.200	13.200	13.200
Other	73.900	70.700	75.800	76.300
Lottery Transfers	72.000	71.300	72.700	74.200
Racing & Charitable Gaming	3.800	2.700	2.700	2.700
Tobacco Settlement	42.400	41.700	42.400	41.900
Utility Property Tax	28.300	33.800	34.500	35.400
Statewide Property Tax	363.100	363.100	363.100	363.100
<b>SUBTOTAL</b>	<b>\$2,121.300</b>	<b>\$2,116.100</b>	<b>\$2,141.600</b>	<b>\$2,190.900</b>
Medicaid Enhancement Tax	104.800	70.800	72.200	73.700
Medicaid Recoveries	3.800	5.400	5.400	5.400
<b>TOTAL GEN'L &amp; ED</b>				
<b>TRUST FUNDS</b>	<b>\$2,229.900</b>	<b>\$2,192.300</b>	<b>\$2,219.200</b>	<b>\$2,270.000</b>
	<b>FY 2013</b>		<b>FY 2014</b>	<b>FY 2015</b>
<b>HIGHWAY FUNDS:</b>	<b>Official</b>	<b>Committee</b>	<b>Committee</b>	<b>Committee</b>
<b>(Dollars in Millions)</b>	<b>Estimate</b>	<b>Estimate</b>	<b>Estimate</b>	<b>Estimate</b>
Road Toll	\$124.500	\$123.400	\$122.800	\$122.100
Motor Vehicle Fees	109.600	110.100	112.900	113.300
Miscellaneous	<u>43.600</u>	<u>44.000</u>	<u>6.300</u>	<u>6.300</u>
<b>TOTAL HIGHWAY FUNDS</b>	<b>\$277.700</b>	<b>\$277.500</b>	<b>\$242.000</b>	<b>\$241.700</b>

	FY 2013		FY 2014	FY 2015
FISH AND GAME FUNDS: (Dollars in Millions)	Official Estimate	Committee Estimate	Committee Estimate	Committee Estimate
Fish & Game Licenses	\$8.700	\$8.100	\$8.100	\$8.100
Fines & Miscellaneous	<u>1.900</u>	<u>1.900</u>	<u>1.600</u>	<u>1.600</u>
TOTAL FISH & GAME FUNDS	\$10.600	\$10.000	\$9.700	\$9.700

Rep. Almy moved Ought to Pass, spoke in favor and yielded to questions.

Rep. Hess spoke against and yielded to questions.

### LAID ON THE TABLE

Rep. Almy moved that **HR 8**, affirming revenue estimates for fiscal years 2013, 2014, and 2015, be laid on the table.

Adopted.

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, March 13, 2013 at 10:00 a.m.

Adopted.

### LATE SESSION

#### Third reading and final passage

**HB 327-FN**, relative to payment of attorneys' fees for indigent parents in termination of parental rights cases.

**HB 253**, relative to limitations on sales by nano breweries for consumption on the premises.

**HB 142**, relative to teacher evaluation systems.

**HB 180**, relative to the definitions of "student athlete" and "student sports" for the management of concussion and head injury.

**HB 519**, requiring the division of higher education to develop a policy on academic credit for a student's military occupation, military training, coursework, and experience.

**HB 206**, relative to political advertising.

**HB 308**, relative to technical changes to election laws.

**HB 521**, establishing a committee to study New Hampshire election laws and procedures.

**HB 372**, relative to state agency telecommunications services.

**HB 558**, relative to disclosure of information regarding charitable solicitations.

**HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration.

**HB 254-FN-A**, abolishing certain positions in the liquor commission.

**HB 394-FN**, relative to transfer of funds by the liquor commission.

**HB 293**, relative to the adverse events reporting system.

**HB 228**, relative to insurance fraud.

**HB 413**, relative to property abandoned by tenants.

**HB 426**, relative to payment of costs and fees in guardianship cases.

**HB 440**, relative to new hire reports to the department of employment security.

**HB 428**, relative to funds for dam maintenance, removal and improvement.

**HCR 1**, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans.

**HB 282**, relative to mixed use school buses, relative to licensing and criminal records of driver education instructors, and relative to background checks for department of safety employees.

**HB 383**, relative to operation of OHRVs on the traveled portion of public highways, where permitted.

**HB 444**, establishing a committee to study the use of autonomous vehicles in New Hampshire.

**HB 488-FN**, changing the definition of "cigarette" under the tobacco tax to match the definition of "cigarette" under the Master Settlement Agreement.

**HB 520**, establishing a committee to study implementing Keno in New Hampshire.  
**SB 40-FN-L**, relative to distribution of education funds for fiscal year 2013.

### UNANIMOUS CONSENT

Reps. Vail and Enman addressed the House.

### SPECIAL ORDERED

Without objection, the Speaker ordered the remainder of bills on today's calendar to be made Special Orders for the next Session day in their Regular Calendar order.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Adopted.

The House recessed at 6:00 p.m.

### RECESS

### (Speaker Norelli in the Chair)

Rep. Kaen moved that the House adjourn.  
Adopted.

## HOUSE JOURNAL No. 10

Wednesday, March 13, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

God of light and truth, as the sun illuminates this city and the longer days lift our spirits, illuminate our work this day. Lift our spirits and raise our hopes. Elevate our trust in the future and in one another. Reveal to us the good and just paths to take and remove all self-interest from us that the collective good might be our greatest concern. Enlighten the places of our fear and mistrust, that we might see one another as You see us; flawed for sure, but filled as well with abiding hopes, unshared talents and worthy dreams. Help us to honor the power You have entrusted to us and to use it wisely and without favor, falsehood or malice. Put our concern for well-being above our concern for wealth, our concern for people above our concern for profits and our concern for the vulnerable above our concern for special interests. May our work today reflect a spirit of justice and generosity and may it be said of us at the end of the day that what we said and decided here made a real and positive difference in helping New Hampshire strive toward a better future for all. Bless every person here, especially those who are ill or suffering. Amen.

Representative Elisabeth Sanders, member from Danville, led the Pledge of Allegiance.

The National Anthem was sung by the member from Alton, Representative Jane Cormier.

### LEAVES OF ABSENCE

Reps. Bishop, Cote, John Kelley, Priestly, Rowe and James Webb, the day, illness.

Reps. Azarian, Burtis, Dobson, Richard Eaton, Garrity, Ketel, Kolodziej, Luther, Menear, Mellow, Mullen, Murotake, Oligny, Palangas, Schlachman, Stephen Schmidt, Kathleen Souza, Tamburello and Watrous, the day, important business.

### INTRODUCTION OF GUESTS

Dante Scarlotto, Dominique Hopkinson and Gary Fujioka, son, daughter and guest of Rep. Scarlotto. Tracy Johnson, daughter of Rep. Jane Johnson. Fourth grade students from Bow Elementary School, guests of the Merrimack District 23 Delegation. Fourth grade students from Donderro Elementary School, guests of the Portsmouth Delegation.

Jeff Brown and Ginger Gates of Pembroke Academy and Jamison Finnermore of Monadnock Regional High School, Pages for the day.

### CONSENT CALENDAR

Rep. Gary Richardson moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 389**, relative to discovery in misdemeanor and violation cases, removed by Rep. James Belanger.

**HB 679**, relative to renovations to the vocational technical center at Alvirne high school, removed by Rep. Christiansen.

**HB 189**, repealing the commission to study water infrastructure sustainability funding, removed by Rep. Kappler.

**HB 527**, repealing the exotic aquatic weeds and species committee, removed by Rep. Kappler.

**HB 549**, establishing a committee to study a constitutional amendment to prevent dedicated funding for a specific purpose from being diverted from that purpose, removed by Rep. Bixby.

Consent Calendar adopted.

**HB 433**, relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

### OUGHT TO PASS WITH AMENDMENT.

Rep. Patrick T. Long for Children and Family Law: This bill clarifies for school resource officers (SRO's) and school districts their specific responsibilities prior to filing a juvenile delinquency

petition. The bill also clarifies that the child has had the opportunity to resolve their issue through normalized approaches. (Programs designed to help the child without court oversight). The amendment removes the study committee and more clearly defines the petitioner's responsibility. Vote 15-0.

#### **Amendment (0566h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to procedures for juvenile delinquency petitions filed by a school district or school official.

Amend RSA 169-B:6, IV as inserted by section 2 of the bill by replacing it with the following:

IV. When a school official, including school resource officers assigned to a school district pursuant to a contract agreement with the local police department, or a local police department as a result of a report made by a school official or school resource officer, files a petition involving a minor with a disability pursuant to RSA 186-C, upon submission of a juvenile petition, but prior to the child's initial appearance the legally liable school district shall provide assurance that prior to its filing:

(a) It was determined whether or not the child is a child with a disability according to RSA 186-C:2, I.

(b) If the school district has determined that the child is a child with a disability, a manifestation review pursuant to 20 U.S.C. section 1415(k)(1)(E) occurred.

(c) If the child's conduct was determined to be a manifestation of the child's disability, the school district followed the process set forth in 20 U.S.C. section 1415(k)(1)(F).

(d) It has reviewed for appropriateness the minor's current individualized education program (IEP), behavior intervention plan, and placement, and has made modifications where appropriate.

Amend the bill by replacing all after section 2 with the following:

3 Effective Date. This act shall take effect January 1, 2014.

#### **AMENDED ANALYSIS**

This bill provides that, unless an incident presents a serious threat to school safety, the school district shall attempt to resolve the issue through available educational interventions before filing a juvenile delinquency petition.

**HB 470**, establishing a task force to determine the effects of the recession on child and family programs. **INEXPEDIENT TO LEGISLATE.**

Rep. Carolyn M. Gargas for Children and Family Law: This bill would establish yet another task force to study family-related issues. There is a similar narrower bill in the Health and Human Services committee, HB 557. At the suggestion of the Chair of the Health and Humans Services committee, this bill is recommended Inexpedient to Legislate and the issues raised in both bills will be examined by the Health and Human Services Oversight Committee. The committee believes this is a better approach than establishing another body to study over-lapping issues. Vote 16-0.

**HB 604**, relative to alimony. **INEXPEDIENT TO LEGISLATE.**

Rep. Daniel C. Itse for Children and Family Law: The proposed change to RSA 458:9 was based upon one known instance. The committee agreed that while the current statute has not fully achieved its intent, that the proposed change may not either. The appropriate correction, whether legislative or administrative, will likely become apparent after a planned discussion with the judiciary. Vote 16-0.

**HB 278**, relative to voluntary installation of fire suppression sprinklers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John B. Hunt for Commerce and Consumer Affairs: As amended, if a developer of a subdivision is willing to put in sprinklers in a proposed subdivision, he or she must include sprinklers in their initial proposal to be allowed as a requirement for approval. Hopefully this will insure that sprinklers will not be used as a bargaining chip. Vote 18-0.

#### **Amendment (0790h)**

Amend the bill by replacing sections 1 and 2 with the following:

1 Subdivision of Land; Sprinklers. Amend RSA 674:36, IV to read as follows:

IV. The planning board shall not require, or adopt any regulation requiring, the installation of a fire suppression sprinkler system in proposed one- or 2-family residences as a condition of approval for a local permit. Nothing in this paragraph shall prohibit a duly adopted regulation mandating a



cistern, dry hydrant, fire pond, or other credible water source other than a fire suppression sprinkler system. ***Nothing in this paragraph shall prevent an applicant from including the installation of fire suppression sprinkler systems in proposed one- or 2-family residences and, if the application is otherwise approved, the installation of such systems shall be required and shall be enforceable as a condition of the approval.***

2 Building Code; Sprinklers. Amend RSA 674:51, V to read as follows:

V. No municipality or local land use board as defined in RSA 672:7 shall adopt any ordinance, regulation, code, or administrative practice requiring the installation of automatic fire suppression sprinklers in any new or existing detached one- or 2-family dwelling unit in a structure used only for residential purposes. Notwithstanding any provision of law to the contrary, no municipality or local land use board shall enforce any existing ordinance, regulation, code, or administrative practice requiring the installation or use of automatic fire suppression sprinklers in any manufactured housing unit as defined in RSA 674:31 situated in a manufactured housing park as defined in RSA 205-A:1, II. ***Nothing in this paragraph shall affect the ability of an applicant for a local land use permit to include the installation of fire suppression sprinklers pursuant to RSA 674:36, IV, or affect the validity or enforceability of such inclusion.***

**HB 355**, establishing a committee to study the feasibility of cities and towns transferring insurance under the Patient Protection and Affordable Care Act. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura M. Jones for Commerce and Consumer Affairs: The duties of the committee established by this bill would include determining whether there is an economic benefit to the municipalities to use the insurance under the Act. The committee had two concerns with this bill. First, municipalities are large employers and so the Patient Protection and Affordable Care Act does not apply to them. Second, we have no idea what the plans or premiums will be on the exchange, therefore, at this point in time there is nothing to compare. Maybe in the future this type of study committee would be helpful. Vote 16-1.

**HB 356**, establishing a committee to study the feasibility of the state transferring insurance under the Patient Protection and Affordable Care Act. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura M. Jones for Commerce and Consumer Affairs: The duties of this committee would include determining whether there is an economic benefit to the state to use the insurance covered under the Act. The committee had two concerns with this bill. First, the state is a large employer and so the Patient Protection and Affordable Care Act does not apply to it. Second, we have no idea what the plans or premiums will be on the exchange, therefore, at this point in time there is nothing to compare. Maybe in the future this type of study committee would be helpful. Vote 16-1.

**HB 367**, relative to the municipal bond bank reserve process. **OUGHT TO PASS.**

Rep. Jill S. Hammond for Commerce and Consumer Affairs: This bill clarifies the process for appropriation requests by the New Hampshire municipal bond bank in the event of a shortfall in a bond reserve fund, and also expands the terms under which governmental units may sell their bonds or notes to the New Hampshire municipal bond bank. It brings greater flexibility and timeliness to the bank's functions of aggregating and marketing bonds for local government entities, which it has been doing for over 30 years. This bill is supported by the state treasurer and the municipal association, among others. Vote 17-0.

**HB 386**, establishing a committee to study streamlining inspections and licensing of businesses. **INEXPEDIENT TO LEGISLATE.**

Rep. Donna L. Schlachman for Commerce and Consumer Affairs: The sponsor's expressed desire in filing this bill was to help new and existing businesses navigate the processes involved with business regulation in the state and chose to begin with inspections and licensing. The legislature has taken up similar concerns in the past and the state has made a number of specific changes across all state agencies to increase transparency and streamline processes. Considerable state investment in an effort, known as New Hampshire One-Stop and some of its feature are already available. Other features are being phased in with the goal of small businesses being able to do all their filings and licensing on line. New Hampshire One-Stop is expected to save the state and businesses time and money. In addition, the division of economic development already has a considerable list of on-line resources to help business start-ups navigate the state at different stages of need. Vote 17-0.

**HB 400**, relative to funding agreements issued by life insurance companies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit R. Williams for Commerce and Consumer Affairs: This bill is a request of the insurance department. HB 400 establishes a new chapter in Title XXXVII, Insurance Statutes, RSA 408-E, that enables life insurers to issue funding agreements. While funding agreements are not a life insurance or annuity product, because life insurers issuing them are subject to the jurisdiction of the insurance department, the department and the industry requested that this insurer business expansion be regulated by the insurance department. Funding agreements enable the accumulation of funds by insurers for payment to the holder not based on morbidity or mortality. The bill delineates permissible holders of funding agreements, the allocation of monies received by the insurer to one or more separate accounts, and the necessary reserve requirements to be maintained by insurers. Vote 17-2.

**Amendment (0574h)**

Amend RSA 408-E:2, I as inserted by section 1 of the bill by replacing it with the following:

I. "Funding agreement" means an agreement issued by a life insurance company, not based on mortality or morbidity, providing for the accumulation of funds by the insurer for the purpose of making one or more payments to the holder, where the initial premium paid is \$1,000,000 or more. Except as provided in this chapter, a "funding agreement" does not constitute life insurance or an annuity and does not constitute a security, as defined by RSA 421-B:2, XX.

Amend the bill by deleting section 2 and renumbering the original section 3 to read as 2.

**HB 401**, relative to property and casualty insurers under the risk-based capital law. **OUGHT TO PASS.**

Rep. Emily C. Sandblade for Commerce and Consumer Affairs: When a property or casualty insurance company's capitalization is below three times its risk-based capital, and if the trend in the company's capital is downward over time, this bill requires the insurance company to file a plan with the state's insurance commissioner detailing how it is going to reverse the trend. The insurance commissioner then monitors the company's progress toward regaining sufficient capitalization and/or intervenes to try to maintain adequate insurer solvency. Vote 17-0.

**HB 457**, establishing a committee to study eliminating and combining liquor licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. John B. Hunt for Commerce and Consumer Affairs: The issues of the varied liquor licenses has been discussed and studied several times in the past few years. Recently we passed legislation to allow the liquor commission to give out licenses without new legislation for every different variation of business that come forward. So at this time, a study committee is not necessary. Vote 18-1.

**HB 489-FN**, relative to the New Hampshire medical malpractice joint underwriting association. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jill S. Hammond for Commerce and Consumer Affairs: This bill, at the request of the insurance department, establishes the New Hampshire medical malpractice joint underwriting association act. The New Hampshire medical malpractice joint underwriting association (the "JUA" as it has been known) was set up about 30 years ago in response to a need for competitively priced malpractice insurance for doctors having trouble finding such in our small state. It has been operating under the insurance department rules structure, and had accumulated a significant reserve fund. When there was an attempt to tap those funds for general fund budget purposes a few years ago, suit was brought that led to a NH supreme court decision that all funds belonged to the JUA, and not the state. The need, which this bill satisfies, is to clearly establish the JUA in statute, as a non-profit organization fulfilling the role of providing medical malpractice insurance to eligible risks (doctors), establishing its board of directors, delineating its powers and duties, and directing how it shall dispose of any future surplus, without adversely affecting the voluntary market. Additionally, the JUA's officials are indemnified by the state against civil action, as are similar state agencies such as the Pease development authority. Vote 18-0.

**Amendment (0670h)**

Amend RSA 404-I:6 as inserted by section 2 of the bill by replacing it with the following:

404-I:6 Board of Directors.

I. The board of directors of the association shall consist of 7 voting representatives as follows:

(a) An insurer which is a member of the New Hampshire Association of Domestic Insurance Companies, appointed by such association with notice to the commissioner.

(b) A health care provider which is a member of the New Hampshire Medical Society, appointed by the society with notice to the commissioner.

(c) A health care provider which is a member of the New Hampshire Hospital Association, appointed by the association with notice to the commissioner.

(d) A member insurer of the association, appointed by the commissioner.

(e) A health care provider who is not a member of the New Hampshire Medical Society or a member of the New Hampshire Hospital Association, appointed by the commissioner.

(f) Two representatives of the public who are not members of any of the groups in (a) through (e), appointed by the commissioner.

II. The board of directors of the association shall continue to consist of the members of the board appointed under administrative rules until the expiration of each board member's term or the resignation of the board member, whichever first occurs. Board members may be appointed for additional terms in accordance with the plan of operation adopted under this chapter.

III. Notwithstanding RSA 91-A or any other law to the contrary, members of the board shall be permitted to participate in meetings by telephone, provided that any board member so participating shall be able to be heard and to hear every other board member participating in the meeting, and unless the board is meeting in nonpublic session pursuant to RSA 91-A:3, shall be able to hear and be heard by all members of the public attending the meeting, and that the meeting is held at a physical location available to the public and identified in the notice of the meeting, and that at least 2 members of the association are physically present at the meeting. Voting members of the board participating by telephone shall be treated as present at the meeting for all purposes, including the establishment of quorum.

Amend RSA 404-I:7, XV as inserted by section 2 of the bill by replacing it with the following:

XV. Reimburse any servicing facility for obligations of the association paid by the facility and for expenses incurred by the facility while adjudicating claims on behalf of the association and pay the other expenses of the association authorized by this chapter.

Amend RSA 404-I:8, VI(k) as inserted by section 2 of the bill by replacing it with the following:

(k) Establish procedures to keep records of all transactions of the association as well as financial reports to be completed in accordance with statutory accounting practices and procedures. Amend the introductory paragraph of RSA 404-I:9, I as inserted by section 2 of the bill by replacing it with the following:

I. Upon a determination by the board that the anticipated liabilities of the association for policies written will exceed the general assets of the association, the board may recommend to the commissioner an assessment upon one, all, or any combination of the following persons:

Amend RSA 404-I:11, I as inserted by section 2 of the bill by replacing it with the following:

I. The association shall be exempt from payment of all taxes levied by this state or any of its subdivisions except taxes levied on real or personal property and is intended to be exempt from federal tax.

Amend RSA 404-I:12 as inserted by section 2 of the bill by replacing it with the following:

404-I:12 Surplus.

I. The board shall have exclusive authority to direct the use of surplus funds of the association in accordance with this chapter, subject only to the commissioner's regulatory authority to ensure the association acts in compliance with this chapter and insurance law. Neither the commissioner, the legislature, nor any other state agency, officer, or official shall have the authority to direct the application of surplus funds of the association as such rights rest solely with the board.

II. At the sole discretion of the board, any surplus shall be applied only in any one or more of the following ways:

(a) Held to reduce future assessments against policyholders, health care providers, and member insurers;

(b) Held to reduce potential future rate increases provided that the application of surplus to reduce rate increases does not result in interference by the association with the voluntary market; or

(c) Used to provide grants in aid to health care providers servicing medically underserved populations.

III. Policyholders shall not have nor shall acquire any vested right or entitlement to the surplus of the association.

Amend RSA 404-I as inserted by section 2 of the bill by inserting after RSA 404-I:15 the following new section:

**404-I:16 Tax Reserve Fund**

I. A reserve fund of \$25,000,000 shall be segregated by the association for the payment of any federal tax liability arising from the excess premiums paid and that has or shall be returned to policyholders in accordance with a court approved plan of allocation in the action in the Merrimack County Superior Court, docket no. 217-2010-CV-00414.

II. The association, the insurance commissioner, or designee, and a representative of the association's policyholders, designated by the president of the New Hampshire Medical Society, shall jointly approach the United States Internal Revenue Service to obtain a closing agreement, or its equivalent, determining whether the association has any federal tax liability arising from the return of premium to policyholders.

III. No later than 30 days after receipt of the closing agreement, or its equivalent, the NHMMJUA shall interplead, into the Merrimack County Superior Court docket no. 217-2010-CV-00414, for the purpose of adjudicating all policyholders' claims in accordance with the approved plan of allocation, any funds remaining in the \$25,000,000 reserve fund after satisfaction of any taxes owed.

IV. Funds that cannot be distributed to a policyholder in the court proceeding docket no. 217-2010-CV-00414, due to the inability to locate the policyholder after reasonable efforts, shall revert to the association to be used to provide grants in aid to health care providers servicing medically underserved populations.

Amend the bill by replacing all after section 2 with the following:

**3 Repeal.** The following are repealed:

I. RSA 404-C:14, relative to the New Hampshire Medical Malpractice Joint Underwriting Association.

II. RSA 404-I:16, relative to the tax reserve fund.

**4 Contingency.** Paragraph II of section 3 of this act shall take effect on the date upon which all moneys in the tax reserve fund have been disbursed in accordance with RSA 404-I:16 as inserted by section 2 of this act, as certified by the insurance commissioner to the secretary of state and the director of legislative services.

**5 Effective Date.**

I. Paragraph II of section 3 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect upon its passage.

**HB 511-FN**, relative to insurance holding companies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jill S. Hammond for Commerce and Consumer Affairs: This bill updates the law relative to insurance holding companies as necessary for accreditation from the national association insurance commissioners (NAIC), and is at the request of the insurance department. Increasingly in our national market, domestic insurance companies are being bought and held by international insurance holding companies. For state insurance departments to adequately assess the viability of such holding companies, cooperation through the NAIC becomes the best model. The commissioner may participate in supervisory colleges with other regulators, including other state, federal, and international regulatory agencies, to do such assessments. Vote 19-0.

**Amendment (0510h)**

Amend RSA 401-B:1, III as inserted by section 1 of the bill by replacing it with the following:

III. "Control" (including the terms "controlling", "controlled by" and "under common control with") means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or non-management services, or otherwise, unless the power is the result of an official position with or corporate office held by the person. Control shall be presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing, 10 percent or more of the voting securities of any other person. This presumption may be rebutted by a showing made in the manner provided by RSA 401-B:4, XI that control does not exist in fact. The commissioner may determine, after furnishing all persons in interest notice and opportunity to be heard and making specific findings of fact to support such determination, that control exists in fact, notwithstanding the absence of a presumption to that effect. Amend RSA 401-B:5, II-a and III as inserted by section 1 of the bill by renumbering them to read as III and IV.

Amend RSA 401-B:8, I as inserted by section 1 of the bill by replacing it with the following:

I. Documents, materials, or other information in the possession or control of the insurance department that are obtained by or disclosed to the commissioner or any other person in the course of an examination or investigation made pursuant to RSA 401-B:6 and all information reported pursuant to RSA 401-B:3, II(l) and (m), RSA 401-B:4, and RSA 401-B:5, shall be confidential by law and privileged shall not be subject to RSA 91-A, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. However, the commissioner is authorized to use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as part of the commissioner's official duties. The commissioner shall not otherwise make the documents, materials or other information public without the prior written consent of the insurer to which it pertains unless the commissioner, after giving the insurer and its affiliates who would be affected thereby notice and opportunity to be heard, determines that the interests of policyholders, shareholders, or the public will be served by the publication thereof, in which event the commissioner may publish all or any part in such manner as may be deemed appropriate.

Amend RSA 401-B:8, III(d)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) Specify procedures and protocols regarding the confidentiality and security of information shared with the NAIC and its affiliates and subsidiaries pursuant to this chapter, including procedures and protocols for sharing by the NAIC with other state, federal, or international regulators.

Amend RSA 401-B:8, III(d)(4) as inserted by section 1 of the bill by replacing it with the following:

(4) Require the NAIC and its affiliates and subsidiaries to consent to intervention by an insurer in any judicial or administrative action in which the NAIC and its affiliates and subsidiaries may be required to disclose confidential information about the insurer and shared with the NAIC and its affiliates and subsidiaries pursuant to this chapter.

**HB 526-FN**, relative to a reinsurance mechanism for the individual health insurance market. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit R. Williams for Commerce and Consumer Affairs: New Hampshire currently operates two high-risk insurance pools providing subsidized individual health insurance for residents who have been denied coverage because of pre-existing conditions or other issues that limit their access to private coverage. The federal high-risk pool was created by the US department of health and human services, and is funded by federal grants. The state high-risk pool was created through RSA 404-G, and is funded by assessments on state health insurance companies. Both pools are operated by a non-profit organization, the New Hampshire Health Plan (NHHP). The patient protection and affordable care act, passed by Congress in 2010, requires health insurance companies to accept all applicants and offer the same rates regardless of pre-existing conditions, starting on January 1, 2014. This will allow current NHHP participants to obtain individual health insurance plans under the same rates, rules and subsidies as other New Hampshire residents. Because of these changes in insurance law, the high-risk pools are no longer necessary, and federal subsidies will cease at the end of this year. This bill directs the NHHP to notify participants that they should apply for health insurance under the rules created by the affordable care act, and wind down its operations and terminate its pool coverage by December 31, 2013. Vote 17-0.

**Amendment (0349h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to termination of activities and dissolution of the association created under RSA 404-G.

Amend the bill by replacing all after the enacting clause with the following:

I New Section; Termination of Activities and Dissolution. Amend RSA 404-G by inserting after section 10 the following new section:

404-G:11 Termination of Activities and Dissolution. Notwithstanding the provisions of RSA 404-G:1 – RSA 404-G:7, the association shall undertake the winding down and cessation of the risk sharing subsidy mechanism, the high risk pool and the federally qualified high risk pool, and the dissolution of the association, as follows:

I. The risk sharing subsidy mechanism described in RSA 404-G:5 shall cease. The final subsidies shall be determined based on calendar year 2013 experience and paid to eligible carriers in 2014.

II. The risk adjustment and subsidization established by the commissioner through Ins 1908 with respect to individual health policies to children under age 19 shall cease. The final subsidies shall be determined based on calendar year 2013 experience and disbursed in accordance with the association's disbursement plan as approved by the commissioner.

III. The high risk pool under RSA 404-G:5-b shall cease in accordance with the following:

(a) Health care coverage provided by the pool shall cease at the close of business on December 31, 2013;

(b) On or before November 1, 2013, the association, through the high risk pool administrator, shall notify all individuals currently enrolled in the pool of the year-end termination of coverage;

(c) The association may renew coverage for existing enrollees or enroll new individuals in the high risk pool until December 1, 2013; provided, that at the time of renewal or application, such enrollees are given notice that pool coverage will terminate on December 31, 2013;

(d) Insurance laws and regulations providing for guaranteed renewal and guaranteed premiums for a period of 12-months, and any similar insurance laws or regulations, shall not apply to the high risk pool to the extent that they are inconsistent with this section;

(e) No individual shall be eligible for coverage through the high risk pool on or after January 1, 2014; and

(f) The association may extend the contract of the existing high risk pool administrator without a competitive bidding process through the period of time required to wind down the operations of the high risk pool.

IV. Coverage under the federally qualified high risk pool described in RSA 404-G:5-g shall cease as of the close of business on December 31, 2013, and the pool shall dissolve in accordance with the Act and as directed by, and under the contract of the association with, the Secretary of the United States Department of Health and Human Services.

V. The board of directors of the association shall prepare and submit to the commissioner for approval within 60 days of the effective date of this section, a plan of termination which shall be an amendment to the plans of operation described in RSA 404-G:5 and RSA 404-G:5-a. The plan of termination shall provide for such administrative measures as are necessary or desirable to terminate the risk sharing subsidy mechanism, under 19 subsidy mechanism, high risk pool and federally qualified high risk pool, and such provisions shall not be inconsistent with this section.

VI. Following the cessation of coverage on December 31, 2013, the association shall take such actions as are necessary and desirable to wind down its affairs under this chapter in accordance with the plan of termination. The association shall retain all of its powers and duties, including, but not limited to, its power to establish and collect regular and special assessments under RSA 404-G:5 and RSA 404-G:5-a, and the immunity provided by RSA 404-G:9 and the bylaws of the association. Any excess funds remaining after the satisfaction of all of the association's liabilities shall be returned to the association's members in proportion to their respective liability for the last regular assessments imposed by the association.

VII. When the association has completed the winding down of its affairs under this chapter and satisfied in full all of its liabilities, then it shall submit to the commissioner for approval a plan of dissolution. Upon approval of the plan of dissolution, the association shall file a certificate of dissolution with the secretary of state, whereupon the association shall cease to exist.

2 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill establishes a procedure for the termination of activities and dissolution of the association created pursuant to RSA 404-G for the operation of the high risk pool.

**HB 559**, relative to the general banking laws of the state. **OUGHT TO PASS WITH AMENDMENT.** Rep. Jill S. Hammond for Commerce and Consumer Affairs: This bill, brought at the request of the banking department, defines "qualified institutions" and details how such institutions are to be audited and inspected. It also requires criminal background checks for persons seeking to form a financial institution. A section was removed in the original bill that would have required any federally-chartered financial institution filing a report of a security breach to its federal regulator to also send a copy to the state banking department; it was deemed a conflict of authority and not enforceable. Vote 19-0.

#### Amendment (0587h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Privileges Not Affected by Disclosure. Amend RSA 383 by inserting after section 10-f the following new section:

383:10-g Privileges Not Affected by Disclosure. Notwithstanding the exceptions to confidentiality in RSA 383:10-b, the submission of any information to any federal banking agency, state banking department, or foreign banking authority for any purpose in the course of any supervisory or regulatory process shall not be construed as waiving, destroying, or otherwise affecting any privilege such person may claim with regard to any information under federal or state law as to any person other than such agency, department, or authority.

2 Annual Audits. Amend RSA 384:43 to read as follows:

384:43 Annual Audits.

I. The board of trustees or directors of every financial institution~~[-except credit unions;-]~~ under the supervision of the bank commissioner *and subject to the exemptions in RSA 384:43-a*, shall ~~[employ]~~ *engage* a certified public accountant ~~[or public accountant]~~, at least annually, to serve as its auditor. *Each financial institution shall give written notice to the bank commissioner of its engagement of an auditor at the time of its engagement and shall require its auditor to confirm the engagement in writing to the commissioner within 30 days of such engagement. Each financial institution shall give written notice to the bank commissioner of the termination of the engagement of an auditor at the time of such termination and shall require the auditor to confirm the termination in writing to the commissioner within 30 days of such termination.*

II. ~~[The auditors selected in]~~ *Any auditor engaged pursuant to* paragraph I, shall examine the books, accounts, and operating systems of the institution in such a manner as in ~~[their]~~ *his or her* judgment will result in an audit that is in agreement with generally accepted accounting standards.

III. ~~[Institutions subject to this section may satisfy the requirements of paragraphs I and II by:~~

(a) ~~Engaging an independent external accounting firm which renders an audit report and opinion consistent with the duties of the auditor described in paragraph II; or~~

(b) ~~Employing an internal audit staff which conducts a continuing internal audit program; provided an independent external auditor reviews the internal audit procedures and reports to the board annually; or~~

(c) ~~Entering into an arrangement with the bank commissioner, approved by the directors by duly recorded vote and by the commissioner in writing, under which the commissioner makes one examination each year of the affairs of the institution. The expense of such examination shall be chargeable to and paid by the institution. The procedure for such payment shall be the same as for payments by institutions for cost of examinations under RSA 383:11. Sums collected under this section shall be payable to the state treasurer as restricted revenue and credited to the appropriation for the bank commissioner. Any such arrangement may be terminated by either party upon at least 30 days notice in writing;~~

~~IV:]~~ Each financial institution shall direct its auditor to provide, *and the auditor shall provide*, the bank commissioner with a copy of its audit report, within 60 days after each is made available to the financial institution. ~~[Reports on the review of internal audit program shall be submitted in a format prescribed by the commissioner in a rule adopted pursuant to RSA 541-A:]~~ All such reports, memoranda, and correspondence remain the property of the individual financial institution.

~~V:]~~ IV. The bank commissioner shall, in the course of his *or her* regular official examination of the institution and at such other times that he *or she* considers advisable, review and analyze the work and reports of such accountants and auditors. *The auditors shall provide the commissioner with such work and reports as the commissioner may reasonably request provided such request is limited to matters that relate to the safety and soundness of the institution.* If the commissioner determines that any audit is inadequate or substantially violates the provisions of this section, he *or she* shall report his *or her* findings with instructions in writing to the trustees or directors, who shall, within 30 days after receiving such report, cause the institution to comply with the report and instructions.

3 New Section; Exemption to Annual Audit Requirement. Amend RSA 384 by inserting after section 43 the following new section:

384:43-a Exemption to Annual Audit Requirement.

I. The commissioner may exempt a financial institution from the annual audit requirement of RSA 384:43 if the institution demonstrates that:

(a) It can maintain its safety and soundness without the audit;

(b) The cost of an audit would be an undue financial burden on the institution; and

(c) It has an alternate audit arrangement in place that will assure the commissioner that its financial statements are true and accurate.

II. The commissioner may revoke any exemption granted if, in his or her judgment, the safety and soundness of the exempt institution requires it.

4 Preliminary Audit. Amend RSA 394-B:41 to read as follows:

394-B:41 Preliminary Audit. *If the commissioner grants a credit union an exemption to the external audit requirement under RSA 354:43-a, the credit union's* supervisory committee shall at least semi-annually conduct or cause to be conducted an audit of the books and records and an examination of the business and affairs of the credit union~~[-or, with the approval of the bank commissioner, the credit union may engage an independent professional auditor to conduct such an audit and examination at least annually]~~. The supervisory committee ~~[or such independent professional auditor]~~ shall conduct a thorough audit of receipts, disbursements, assets, and liabilities. The supervisory committee ~~[or such independent professional auditor]~~ shall conduct verification not less than every 2 years.

5 Election; Oath. Amend RSA 384:5 to read as follows:

384:5 Election; Oath.

I. Officers, directors, ~~[and]~~ trustees, *and managers in the case of a limited liability company* shall be elected *or appointed* as frequently as the charter or bylaws of the bank or savings association may require, but not less than once every 3 years~~[-and they shall hold office until others are elected and qualified]~~.

II. All officers, directors, ~~[and]~~ trustees, *and managers in the case of a limited liability company* upon election *or appointment*, shall be sworn to the faithful discharge of their duties~~[-except that they shall be required to take an oath of office only on the first occasion of their election or appointment and shall not be required to take any such oath thereafter]~~.

6 Organization. Amend RSA 392:14 to read as follows:

392:14 Organization. The organizers shall adopt bylaws which may be incorporated in an operating agreement if the company is a limited liability company, and shall also elect, or cause to be elected, such directors or managers and officers as may be required by the organizational instrument or bylaws. All directors, managers, and officers so elected shall be sworn to the faithful performance of their duties *in accordance with RSA 384:5*. A temporary clerk or secretary shall make and attest a record of the proceedings until the clerk or secretary has been chosen and sworn, including a record of such choice and qualification.

7 Oath. Amend RSA 394-B:30 to read as follows:

394-B:30 Oath. All directors, ~~[and]~~ *all members of the* supervisory ~~[and]~~ *or* credit committees, ~~[as well as]~~ *and* all officers ~~[whom such directors may elect]~~ *upon their election or appointment and at each re-election or re-appointment*, shall be sworn to the faithful performance of their duties. A record of every such qualification shall be filed and preserved with the records of the corporation.

8 Duties; Commissioner. Amend RSA 383:9 to read as follows:

383:9 Duties.

I. The commissioner shall have general supervision of all banks (except national banks), trust companies, building and loan associations, credit unions, Morris plan banks, small loan companies, and other similar institutions in the state. *Except as provided in RSA 383:9-d, he or she* shall examine into the condition and management of all such institutions ~~[at least]~~ every 18 months ~~[with the exception of highly rated institutions provided for in RSA 383:9-d]~~, and more often when necessary in his *or her* judgment or when so directed by the governor. ~~[He]~~ *The commissioner* may regulate the buying or selling of securities by ~~[savings]~~ banks for officers, employees, or customers. He *or she* shall assign to the deputy commissioner and the assistants appointed under RSA 383:7 such of his *or her* duties as he *or she* sees fit. *In accordance with RSA 383:9-d, qualified institutions under RSA 383:9-a may be examined less often, but at no time shall the commissioner examine the condition and management of any institution less than every 36 months.*

II. ~~[The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the duties assigned him by paragraph I.]~~ *The commissioner may conduct an examination at any location of the institution's operations, including any place where assets are located or where records are made, posted, or kept. The commissioner shall have the power to conduct such an examination outside the state of New Hampshire and outside the United States and its territories.*

III. *The commissioner may adopt rules, pursuant to RSA 541-A, relative to the duties assigned to him or her by this section.*

9 Examination of Qualified Institutions; Nondepository Trust Companies. Amend RSA 383:9-d to read as follows:



383:9-d Examination of [~~Highly-Rated~~] *Qualified* Institutions; Nondepository Trust Companies.

I. [~~The bank commissioner may, at his or her discretion, waive one 18-month examination requirement under RSA 383:9 every 6 years for institutions which have consistently been given high ratings in past examinations. The commissioner may also substitute for an 18-month examination once every 6 years a report of a federal institution examining agency whose reports regularly include a report on New Hampshire institutions.~~] Within any 6-year period in which 4 18-month examinations are required under RSA 383:9, the commissioner may for [~~highly-rated~~] institution *qualified under paragraph II*:

(a) Waive one examination;

(b) Substitute for one examination a report of a federal bank examining agency whose reports regularly include a report on New Hampshire banks; and

(c) Perform 2 examinations as required by 383:9.

II. *An institution qualifies for examination treatment under paragraphs I and III if:*

(a) *It has consistently been given high ratings in past exams;*

(b) *It is not currently subject to an enforcement proceeding or order; and*

(c) *The commissioner has deemed it prudent to apply this provision.*

III. The commissioner may, at his or her sole discretion, upon the written request of a [~~highly-rated~~] nondepository trust company *qualified under paragraph II*, satisfy the examination requirement of RSA 383:9, including modifications under paragraph I, for such trust company through an off-premises examination of:

(a) An audit report satisfying the requirements of RSA 384:43, I and II if it is prepared in accordance with RSA 384:43[~~, III(a) and (b)~~], and a fiduciary audit conforming to applicable generally accepted auditing standards; and

(b) Such other records and information of the institution as may be required by the commissioner.

10 New Sections; Affiliates of Institutions; Nondepositions; Criminal History Records Check. Amend RSA 383 by inserting after section 9-h the following new sections:

383:9-i Affiliates of Institutions.

I. For purposes of this section, "affiliate" shall have the same meaning as in the Federal Reserve Act, 12 U.S.C. section 371c(b), and the regulations adopted thereunder.

II. In the course of conducting any examination, special examination, investigation, or visitation of any institution under RSA 383:9, the commissioner shall, subject to the limitations of federal law, have the jurisdiction and power to examine any affiliate of such institution. Such an examination is limited to those issues which, in the determination of the commissioner, affect the safe and sound operation of the institution and the relationship between the institution and the affiliate.

383:9-j Nondepository Financial Institutions; Criminal History Records Check.

I. The department may complete a background investigation and criminal history records check on the person or group of persons acting in concert who acquire directly or indirectly 10 percent or more of the beneficial ownership or control of the voting shares of a nondepository financial institution, new officers, and directors and any person in a similar position or performing similar functions. If the acquirer is a subsidiary, the department may complete a background investigation and criminal history records check on the individuals who are the indirect owners, as defined in RSA 397-A:1, VIII-a.

II. If required by the department, the persons described in paragraph I shall submit to the department a notarized criminal history records release form, as provided by the New Hampshire department of safety, division of state police, which authorizes the release of the person's criminal records, if any. The person shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the banking department. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints is necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

III. The department shall submit the criminal history records release form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of

state police shall release copies of the criminal conviction records to the department. The department shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph.

IV. The department may require the incorporators to pay the actual costs of each background investigation and criminal history records check.

11 Reports of Proscribed Activity. Amend RSA 384:36 to read as follows:

384:36 Reports of Proscribed Activity. Institutions subject to this chapter shall file with the bank commissioner copies of reports required by the provisions of section 208.62 of the Federal Reserve Board's Regulation H (12 C.F.R. *section* 208.62), Federal Deposit Insurance Corporation regulations part 353 (12 C.F.R. *section* 353.1 et seq.), ~~[and]~~ National Credit Union Administration regulations section ~~[Part]~~ 748.1(c) (12 C.F.R. *section* 748.1(c)), *and the Department of the Treasury, Financial Crimes Enforcement Networks' Regulations, (31 C.F.R. chapter X)* as may be amended from time to time. Reports required by this section shall be filed with the bank commissioner at the same time such reports are filed with the institution's federal regulators. A financial institution subject to this section, and any director, officer, employee, or agent of such financial institution, that files a report pursuant to this section shall be protected from liability for any disclosure contained therein. All reports filed with the commissioner under this section shall be confidential and shall not be subject to subpoena or to the requirements of RSA 91-A, except that the commissioner shall provide copies of such reports upon request to the New Hampshire department of justice, criminal bureau.

12 Petition; Trust Companies; Criminal History Records Check. RSA 392:5, III is repealed and reenacted to read as follows:

III.(a) The department may complete a background investigation and criminal history records check on the petitioner's organizers, officers, and directors or managers, and any person in a similar position or performing similar functions. The department may also complete a background investigation and criminal history records check on any person, including an individual, that owns, beneficially owns, has the right to vote, or has the power to sell or direct the sale of 10 percent or more of the petitioner. If the petitioner is a subsidiary, the department may complete a background investigation and criminal history records check on the individuals who are the indirect owners, as defined in RSA 397-A:1, VIII-a.

(b) If required by the department, the persons described in subparagraph (a) shall submit to the department a notarized criminal history records release form, as provided by the New Hampshire department of safety, division of state police, which authorizes the release of the person's criminal records, if any. The person shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the banking department. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints is necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

(c) The department shall submit the criminal history records release form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of state police shall release copies of the criminal conviction records to the department. The department shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph.

(d) The department may require the petitioner to pay the actual costs of each background investigation and criminal history records check.

IV. The failure of a petitioner to furnish required information, data, other material, or the required fee within 30 days after a request may be considered an abandonment of the petition.

13 Petition; Banks' Criminal History Records Check. RSA 386-A:4, II is repealed and reenacted to read as follows:

II.(a) The department may complete a background investigation and criminal history records check on the petitioner's organizers, officers, and directors, trustees, or managers and any person in a similar position or performing similar functions. The department may also complete a background investigation and criminal history records check on any person, including an individual, that owns, beneficially owns, has the right to vote, or has the power to sell or direct the sale of 10 percent or

more of the petitioner. If the petitioner is a subsidiary, the department may complete a background investigation and criminal history records check on the individuals who are the indirect owners, as defined in RSA 397-A:1, VIII-a.

(b) If required by the department, the persons described in subparagraph (a) shall submit to the department a notarized criminal history records release form, as provided by the New Hampshire department of safety, division of state police, which authorizes the release of the person's criminal records, if any. The person shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the banking department. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints is necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

(c) The department shall submit the criminal history records release form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of state police shall release copies of the criminal conviction records to the department. The department shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph.

(d) The department may require the petitioner to pay the actual costs of each background investigation and criminal history records check.

III. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the petition required by paragraph I.

14 New Section; Savings Associations; Criminal History Records Check. Amend RSA 393 by inserting after section 1-b the following new section:

393:1-c Savings Associations; Criminal History Records Check.

I. The department may complete a background investigation and criminal history records check on the incorporators, officers and directors, and any person in a similar position or performing similar functions. The department may also complete a background investigation and criminal history records check on any person, including an individual, that owns, beneficially owns, has the right to vote, or has the power to sell or direct the sale of 10 percent or more of the petitioner. If the petitioner is a subsidiary, the department may complete a background investigation and criminal history records check on the individuals who are the indirect owners, as defined in RSA 397-A:1, VIII-a.

II. If required by the department, the persons described in paragraph I shall submit to the department a notarized criminal history records release form, as provided by the New Hampshire department of safety, division of state police, which authorizes the release of the person's criminal records, if any. The person shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the banking department. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints is necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

III. The department shall submit the criminal history records release form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of state police shall release copies of the criminal conviction records to the department. The department shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph.

IV. The department may require the incorporators to pay the actual costs of each background investigation and criminal history records check.

15 New Section; Credit Unions. Amend RSA 394-B by inserting after section 4 the following new section:

394-B:4-a Credit Unions; Criminal History Records Check.

I. The department may complete a background investigation and criminal history records check on the persons seeking to form a credit union, the proposed officers and directors of the credit union, and any person in a similar position or performing similar functions.

II. If required by the department, the persons described in paragraph I shall submit to the department a notarized criminal history records release form, as provided by the New Hampshire department of safety, division of state police, which authorizes the release of the person's criminal records, if any. The person shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the banking department. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints is necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

III. The department shall submit the criminal history records release form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of state police shall release copies of the criminal conviction records to the department. The department shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph.

IV. The department may require the incorporators to pay the actual costs of each background investigation and criminal history records check.

16 Credit Unions; Use of Funds. Amend RSA 394-B:16, I-II to read as follows:

I. It may deposit its money in any corporate credit union whose shares and deposits are insured by the National Credit Union Administration or other qualified share and deposit insurance fund deemed acceptable by the bank commissioner, and may deposit its money in any cooperative bank, building and loan association, savings bank, trust company, federal savings and loan association, or national bank in New England that is **federally** insured [~~by either the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation~~].

II. It may invest up to the insured amount in any cooperative bank, building and loan association, savings bank, trust company, federal savings and loan association, or national bank in the United States, [~~which~~] **that is federally** insured [~~by either the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation~~].

17 New Section; Merchant Banks; Criminal History Records Check. Amend RSA 392-A by inserting after section 6 the following new section:

392-A:6-a Merchant Bank; Criminal History Records Check.

I. The department may complete a background investigation and criminal history records check on the person or group of persons acting in concert who acquire directly or indirectly 10 percent or more of the beneficial ownership or control of the voting shares, new officers, and directors and any person in a similar position or performing similar functions. If the acquirer is a subsidiary, the department may complete a background investigation and criminal history records check on the individuals who are the indirect owners, as defined in RSA 397-A:1, VIII-a.

II. If required by the department, the persons described in paragraph I shall submit to the department a notarized criminal history records release form, as provided by the New Hampshire department of safety, division of state police, which authorizes the release of the person's criminal records, if any. The person shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the banking department. In the event that the first set of fingerprints is invalid due to insufficient pattern, a second set of fingerprints is necessary in order to complete the criminal history records check. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the department may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where the person has lived during the past 5 years.

III. The department shall submit the criminal history records release form to the division of state police which shall conduct a criminal history records check through its records and through the Federal Bureau of Investigation. Upon completion of the background investigation, the division of state police shall release copies of the criminal conviction records to the department. The department shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph.

IV. The department may require the incorporators to pay the actual costs of each background investigation and criminal history records check.

18 Effective Date. This act shall take effect 60 days after its passage.

**HB 560**, repealing the board of trust company incorporation. **OUGHT TO PASS.**

Rep. Frederick C. Rice for Commerce and Consumer Affairs: The board of trust company incorporation is a superfluous body which no longer performs any useful function and meets only because of its legislative requirement to do so. Its duties are being performed by the banking commissioner. Vote 17-0.

**HB 640**, relative to the standard valuation law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Emily C. Sandblade for Commerce and Consumer Affairs: This bill is a request of the insurance department. The bill readopts with amendment RSA 410 standard valuation with the latest National Association of Insurance Commissioners (NAIC) model language required for insurance department accreditation with the NAIC. The language of the bill modernizes uniform national standards for the valuation of life insurance and annuity policies. The new model language replaces static formulas used to calculate risks with a principles-based approach that allows insurers to calculate statutory reserves and capital using more complex actuarial modeling, simulation and their own experience and data to better quantify those risks and capture the various risks inherent in establishing adequate reserves. The insurance department will continue to evaluate insurer's principles-based approaches to maintain the valuation quality. The bill also contains the adoption of a valuation manual that provides insurers with specific guidance for each product to make sure life insurers are holding the correct amount in reserve to meet their obligations to policyholders. And, the bill amends existing RSA 409-A standard nonforfeiture law for life insurance, to align that law with the new standard valuation criteria. Vote 19-0.

#### **Amendment (0656h)**

Amend RSA 410:3, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) The insurance commissioner shall annually value, or cause to be valued, the reserve liabilities (hereinafter called reserves) for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurance company doing business in this state, except that in the case of an alien company, such valuation shall be limited to its United States business, issued on or after April 7, 1943 and prior to the operative date of the valuation manual. In calculating reserves, the commissioner may use group methods and approximate averages for fractions of a year or otherwise. In lieu of the valuation of the reserves required of a foreign or alien company, the commissioner may accept any valuation made, or caused to be made, by the insurance supervisory official of any state or other jurisdiction when the valuation complies with the minimum standard provided in this chapter.

Amend the introductory paragraph of RSA 410:5 as inserted by section 1 of the bill by replacing it with the following:

410:5 Computation of Minimum Standards. Except as provided in paragraphs I and II and RSA 410:14, the minimum standard for the valuation of policies and contracts issued prior to April 7, 1943, except group annuity and pure endowment contracts, shall be that provided by the laws in effect immediately prior to that date. Except as provided in RSA 410:6 and RSA 410:7, the minimum standard for the valuation of group annuity and pure endowment contracts issued prior to April 7, 1943, shall be that provided by the laws in effect immediately prior to such date except that the interest rate specified shall be 5 percent per annum for all such contracts. Except as otherwise provided in RSA 410:6, RSA 410:7, and RSA 410:14 the minimum standard for the valuation of all policies and contracts issued on or after April 7, 1943, shall be the commissioners reserve valuation methods defined in RSA 410:8, RSA 410:9, RSA 410:12 and RSA 410:14, 5 percent interest for group annuity and pure endowment contracts and 3 ½ percent interest for all other such policies and contracts, or in the case of life insurance policies and contracts, other than annuity and pure endowment contracts, issued on or after September 1, 1943, 4 percent interest for policies issued prior to August 1, 1979, 5 ½ percent interest for single premium life insurance policies and 4 ½ percent interest for all other policies issued on or after August 1, 1979 and the following tables:

Amend RSA 410:18, I(b) as inserted by section 1 of the bill by replacing it with the following:

(b) All documents, materials and other information, including, but not limited to, all working papers, and copies thereof, created, produced or obtained by or disclosed to the commissioner or any other person in the course of an examination made under RSA 410:15, VI; provided, however, that if an examination report or other material prepared in connection with an examination made under RSA 410:15, VI is not held as private and confidential information under RSA 400-A:37, an

examination report or other material prepared in connection with an examination made under RSA 410:15, VI shall not be "confidential information" to the same extent as if such examination report or other material had been prepared under RSA 400-A:37;

Amend RSA 410:18, I(e) as inserted by section 1 of the bill by replacing it with the following:

(e) Any documents, materials, data, and other information submitted by a company under RSA 410:17, collectively, "experience data," and any other documents, materials, data, and other information, including, but not limited to, all working papers, and copies thereof, created or produced in connection with such experience data, in each case that include any potentially company-identifying or personally identifiable information, that is provided to or obtained by the commissioner (together with any "experience data," the "experience materials") and any other documents, materials, data, and other information, including, but not limited to, all working papers, and copies thereof, created, produced or obtained by or disclosed to the commissioner or any other person in connection with such experience materials.

Amend the bill by replacing all after section 1 with the following:

2 New Section; Standard Forfeiture Law for Life Insurance; Definition. Amend RSA 409 by inserting after section 1 the following new section:

409:1-a Definition. In this chapter, "operative date of the valuation manual" means the January 1 of the first calendar year that the valuation manual as defined in RSA 410:2, XII is effective.

3 Standard Forfeiture Law for Life Insurance; Adjusted Premium After Later Dates. Amend RSA 409:5-b, VIII(f) and (g) to read as follows:

(f)(1) *For policies issued prior to the operative date of the valuation manual*, any *commissioner's standard* ordinary mortality tables, adopted after 1980 by the National Association of Insurance Commissioners, that are approved by rule adopted by the commissioner pursuant to RSA 541-A for use in determining the minimum nonforfeiture standard may be substituted for the Commissioner's 1980 Standard Ordinary Mortality Table with or without Ten-Year Select Mortality Factors or for the Commissioner's 1980 Extended Term Insurance Table.

(2) *For policies issued on or after the operative date of the valuation manual*, the *valuation manual shall provide the Standard Ordinary Mortality Table for use in determining the minimum nonforfeiture standard that may be substituted for the Commissioners 1980 Standard Ordinary Mortality Table with or without Ten-Year Select Mortality Factors or for the Commissioners 1980 Extended Term Insurance Table. If the commissioner approves by regulation any Commissioner's Standard Ordinary Mortality Table adopted by the National Association of Insurance Commissioners for use in determining the minimum nonforfeiture standard for policies issued on or after the operative date of the valuation manual then that minimum nonforfeiture standard supersedes the minimum nonforfeiture standard provided by the valuation manual.*

(g)(1) *For policies issued prior to the operative date of the valuation manual*, any *commissioner's standard* industrial mortality tables, adopted after 1980 by the National Association of Insurance Commissioners, that are approved by rule adopted by the commissioner pursuant to RSA 541-A for use in determining the minimum nonforfeiture standard may be substituted for the Commissioner's 1961 Standard Industrial Mortality Table or the Commissioner's 1961 Industrial Extended Term Insurance Table.

(2) *For policies issued on or after the operative date of the valuation manual the valuation manual shall provide the Commissioner's Standard Mortality Table for use in determining the minimum nonforfeiture standard that may be substituted for the Commissioners 1961 Standard Industrial Mortality Table or the Commissioners 1961 Industrial Extended Term Insurance Table. If the commissioner approves by regulation any Commissioner's Standard Industrial Mortality Table adopted by the National Association of Insurance Commissioners for use in determining the minimum nonforfeiture standard for policies issued on or after the operative date of the valuation manual then that minimum nonforfeiture standard supersedes the minimum nonforfeiture standard provided by the valuation manual.*

4 Standard Forfeiture Law for Life Insurance; Adjusted Premium After Later Dates. Amend RSA 409:5-b, IX to read as follows:

IX. *The nonforfeiture interest rate is defined below:*

(1) *For policies issued prior to the operative date of the valuation manual*, the nonforfeiture interest rate per annum for any policy issued in a particular calendar year shall be equal to 125 percent of the calendar year statutory valuation interest rate for such policy as defined in RSA 410 rounded to the nearer 1/4 of one percent.

*(2) For policies issued on or after the operative date of the valuation manual the nonforfeiture interest rate per annum for any policy issued in a particular calendar year shall be provided by the valuation manual.*

5 Effective Date. This act shall take effect January 1, 2014.

**HB 209**, relative to the relinquishment of firearms as a condition of bail. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew S. O'Hearne for Criminal Justice and Public Safety: This bill was reviewed in a subcommittee which found no compelling arguments to support it. The subcommittee also determined that this bill was an over reach into the judicial discretion of judges. Vote 18-0.

**HB 396**, establishing a committee to study requiring safety training or instruction prior to the purchase or acquisition of a firearm. **INEXPEDIENT TO LEGISLATE.**

Rep. Kyle J. Tasker for Criminal Justice and Public Safety: Although well intentioned, safety instruction for any potentially dangerous device, be it lawn darts or a BB gun, should be provided by parents. It is not within the scope of this committee to study requiring training for non-firearm related items, nor would meaningful legislation come of it. Vote 18-0.

**HB 407**, relative to the penalty for making a false statement in a criminal complaint. **INEXPEDIENT TO LEGISLATE.**

Rep. Delmar D. Burridge for Criminal Justice and Public Safety: This bill will limit prosecutorial discretion in situations of false swearing. It is preferable to allow prosecutors broad discretion in these cases rather than limiting it. Moreover, the charging decision is more appropriately an executive branch function, not one that should be limited by legislation. To the extent that this language putting an officer on notice that a false statement on a complaint may result in criminal prosecution is appropriate. It should remain broad. This bill will make it unnecessarily narrow. It is unclear how this change will make the existing statute any better. Moreover, the existing statute provides that a false statement on a criminal complaint may result in criminal prosecution. There is insufficient reason to specifically restrict the offense to be charged. Therefore, this change is unnecessary and may introduce confusion into the area of law. Vote 18-2.

**HB 431-FN**, relative to witness tampering. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The committee agreed with the sponsors and those who testified that this bill is unworkable. Vote 20-0.

**HB 447**, relative to annulment of criminal records. **INEXPEDIENT TO LEGISLATE.**

Rep. Geoffrey D. Hirsch for Criminal Justice and Public Safety: The bill would require the sentencing court to annul the criminal records of a person convicted of certain offenses without petition or hearing. The committee believes that seeking a petition or hearing to annul a criminal record is an appropriate responsibility to the person. Requiring the court to automatically annul records without a hearing or petition would create an expensive recordkeeping burden on the courts. Further, many on the committee believe that current annulment statutes are sufficient. Vote 17-0.

**HB 450-FN**, relative to the annulment of criminal records. **OUGHT TO PASS.**

Rep. Delmar D. Burridge for Criminal Justice and Public Safety: This bill requires that records of annulled arrests, convictions, and sentences be sealed and requires the state police criminal records unit to remove an annulled criminal record upon payment of the required fee. Testimony in support came from the department of safety and a retired probation supervisor with 30 years experience from Portsmouth, New Hampshire. Vote 17-0.

**HB 502**, relative to protection of persons from domestic violence. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety: This bill prohibits a law enforcement officer from arresting an abuser unless the officer witnesses the abuse or the victim goes to the court to file a criminal complaint against their abuser. This bill changes New Hampshire's "presumptive arrest" policy which states that an officer should arrest an abuser in cases where he/she has probable cause to believe that a person has committed abuse. This bill changes "should" to "may." If this bill becomes law, an officer who is called to a scene and sees a victim with visible injuries could not arrest the abuser on the spot. The committee feels this bill would undermine protections for victims of domestic violence and recommends the bill be inexpedient to legislate. This bill was opposed by

victims of domestic violence, the New Hampshire coalition against domestic and sexual violence and its 14 member programs, the attorney general, the department of safety, and many other law enforcement agencies. Vote 20-0.

**HB 503**, relative to arrests for domestic violence. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety: This prohibits a law enforcement officer from arresting an abuser unless the victim files (or has previously filed) a criminal complaint. If this bill passes, even if the officer has witnessed the abuse he or she cannot make an arrest without a warrant. In addition, the bill takes away law enforcement's ability to arrest for a violation of a stalking or domestic violence protective order until the victim has filed a criminal complaint with the court. The bill also repeals the current directive to, officers to use all means within reason to prevent further abuse, including but not limited to removing deadly weapons from the possession of the alleged abuser, transporting the victim and their children to a safe place, assisting the victims in removing personal items from the home, and giving the victims notice of the rights and remedies available to them under the law. The committee believes the current law protects victims of domestic violence and should not be changed. This bill was opposed by victims of domestic violence, the New Hampshire coalition against domestic and sexual violence and their 14 member programs, the attorney general, the department of safety, and many other law enforcement agencies. Vote 20-0.

**HB 504**, relative to official oppression. **INEXPEDIENT TO LEGISLATE.**

Rep. Philip E. Ginsburg for Criminal Justice and Public Safety: Existing law makes it a misdemeanor for a public servant to use his office to commit an unauthorized act for his own benefit. (The law uses the masculine pronouns.) This bill would in addition make it a violation for a public servant to commit such an act without benefit to him/her, or to refrain from performing a duty imposed on him/her by law. The committee concluded that the bill mostly duplicates the existing law, and where it does not, would be difficult to prosecute, particularly in proving a negative. In addition the committee heard testimony that the present law, along with complaints to the department of justice office of public integrity, was sufficient to deal with such offenses, rendering the addition needless. And, though they were not decisive, the bill's grammatical problems, while reflecting a laudable attempt at gender neutrality, did not militate in its favor. Vote 19-1.

**HB 609**, relative to possession of a firearm on school property. **INEXPEDIENT TO LEGISLATE.**

Rep. Geoffrey D. Hirsch for Criminal Justice and Public Safety: This bill mandates that school districts submit warrant articles to their districts' legislative body regarding whether or not school employees carry concealed firearms while on school property. This mandate erodes local control as schools already have ways to institute protective measures without legislative mandates. Police chiefs, school boards, principals and teacher associations are all opposed to this bill. The committee unanimously agrees with their concerns. Vote 18-0.

**HB 616-FN**, relative to the enforcement of false swearing and perjury in official matters. **INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The committee felt this bill was very confusing particularly because it leaves open the question, "Who would arrest who?" The committee believes that there are sufficient laws on the books that cover abuse of prosecutorial discretion. Vote 19-1.

**CACR 6**, relating to education. Providing that the legislature shall have the power to authorize schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E. Shaw for Education: This bill changes the language of current law that provides that the legislature have the power to authorize political subdivisions to establish schools under their control. However, the legislature would be the sole authority to determine the funding for these subdivisions. These two principals contradict, as the current law created by the legislature determines adequate education rights for each child and its funding. This change would be counter-productive to current law. Vote 16-2.

**HB 300**, requiring postsecondary education institutions to compile and submit reports on remedial education courses. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert F. Willette for Education: This bill mandates post-secondary institutions of education to submit a many-element report regarding their remedial education. After in-depth consideration based on testimony to the committee from state education officials and schools of post-secondary



education regarding HB 300, the committee has determined that to mandate HB 300 would create a burden and a red-tape task for post-secondary schools and the department of education, to provide extraneous data that may not be useful due to information that is already available to secondary schools of education. Vote 18-0.

**HB 317-FN**, relative to verification of school district membership data. **INEXPEDIENT TO LEGISLATE.**

Rep. Mel Myler for Education: This bill would provide for the verification of school district membership (student count). However, on review of the department of education's process for accounting student attendance, the committee felt the process was complete. There are about 200,000 students in our K-12 public schools. Last year, there were 104 students in questionable status. Of those students, 30 were "full time equated" (FTE). The committee felt no further legislation was needed at this time. Vote 19-0.

**HB 553**, establishing New Hampshire anti-bullying day. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary J. Gorman for Education: This bill requires the governor to proclaim the second Wednesday in November as NH Anti-Bullying Day. Strafford Middle School students have established a Kids Against Bullying Club (KAB) and approached their representative to present this bill. The committee supports an ITL motion for the following reasons. Bullying is already a high profile topic. New Hampshire has enacted a strict anti-bullying law and it is working. There is nothing to prevent the KAB Club from reaching out to other schools, organizations and businesses to develop activities, etc. to raise awareness of bullying and its consequences. The legislature cannot mandate the governor to proclaim an Anti-Bullying Day. However, the KAB Club can approach the prime sponsor to request a proclamation from the governor acknowledging their efforts to combat bullying. Vote 18-0.

**HB 629-FN**, relative to designation as a high performance school for the purpose of qualifying for additional school building aid grants. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick M. Ladd for Education: This bill, as amended, addresses two changes within the school building aid statute. First, when rewriting the building aid statute in the last session, the following once included language was excluded: "funds received from trusts, bequests, gifts or insurance policies shall not be eligible for computing grants (building aid) hereunder." Proposed language in this bill reinstates the sentence with changes: "Funds received from charitable trusts, bequests, gifts, insurance policies, federal grants or grants from other state programs shall not be eligible for computing grants hereunder." The reason for stating "charitable" trusts is because some school districts do create various expendable trusts with tax money, often from end of year surplus that they use at a later date. It has always been understood that trusts derived from tax dollars are eligible, but it is good to clarify the point. Secondly, the remaining change occurring in this bill inserts another criterion to be considered by the DOE when receiving building aid proposals/ applications, and that change is: "School security design and integration of security systems." Although we do not want new or renovated schools looking like jails, we should consider security design and security systems in all future school construction. Vote 18-1.

**Amendment (0701h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the criteria for approving and calculating school building aid grants.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; School Building Aid; Amount of Grant. Amend RSA 198:15-b, I(a)(2) by inserting after subparagraph (D) the following new subparagraph:

(E) Funds received from charitable trusts, bequests, gifts, insurance policies, federal grants, or grants from other state programs shall not be considered in computing grants under this paragraph.

2 School Building Aid; Approval of Plans. Amend RSA 198:15-c, II(b)(7) to read as follows:

(7) *School security design and integration of security systems.*

(8) Any other criteria that the state board of education may determine are necessary.

3 Effective Date. This act shall take effect 60 days after its passage.

**AMENDED ANALYSIS**

This bill provides that funds received from charitable trusts, bequests, gifts, insurance policies, federal grants, or grants from other state programs shall not be considered in computing school building aid grants. The bill also adds an additional criterion based on school security for the approval of school building plans.

**HB 631-FN-L**, requiring school boards to establish a policy allowing parents to send their children to an out-of-district school. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary J. Gorman for Education: This bill allows parents to enroll their child in a school outside of the district where the child resides. The parents would also receive 50% of the statewide average cost per public school pupil as calculated by the department of education. This bill violates the tenet of public education as a public good. Public dollars are diverted to private control with no accountability for their use. This is a back door voucher bill which may be used to support religious schools. This breaches the wall of separation of church from state and violates Article 83 of the NH Constitution. Vote 20-0.

**HB 643-FN**, establishing a science, technology, engineering, and mathematics scholars program. **INEXPEDIENT TO LEGISLATE.**

Rep. Andrew R. Schmidt for Education: This bill, while noble in intent, presents some problems. First of all, the scholarships are based upon academic major rather than merit and/or financial need. Second, the bill gives improper preference to one area of study over all others. The committee also felt that our limited resources would be best applied to the university system as a whole rather than to students in a specific area of study. Finally, the bill presents administration problems due to its forfeiture and repayment provisions. Vote 20-0.

**HB 680**, relative to attending a public school or public academy outside of the school district in which the pupil resides. **INEXPEDIENT TO LEGISLATE.**

Rep. Ralph G. Boehm for Education: This bill would allow students to attend schools outside their district. This is already in law. School districts must specify a tuition rate for their schools if an outside district student is accepted. School districts already have policies in place to allow for this. This bill also states that school districts must specify how many seats are available. This is not possible, as for the most part, this is not known until the school years starts. Special education costs may also be a hindrance, as the sending, or resident school district is financially responsible. Vote 19-0.

**HB 183**, relative to processing absentee ballots. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Evelyn M. Connor for Election Law: This bill, as amended, would enable the processing of previously received absentee ballots two hours after the opening of the polls. Current law requires that such processing shall begin at 1:00 p.m. The committee believes that greater flexibility is desirable. Vote 17-0.

#### Amendment (0460h)

Amend the bill by replacing section 1 with the following:

1 Processing Absentee Ballots. Amend RSA 659:49 to read as follows:

659:49 Processing Absentee Ballots.

[E:] Processing of previously received absentee ballots shall *not* begin ~~[at 1:00 p.m.]~~ *earlier than 2 hours after the opening of the polls*. The processing of the absentee ballots shall not unnecessarily interfere with normal voting procedures, nor shall the polls be closed ~~[at any time during the]~~ *for the purpose of* processing of such ballots. Absentee ballots which are received after ~~[1:00 p.m.]~~ *the polls open* and prior to 5:00 p.m. ~~[shall]~~ *may* be processed as soon after receipt as possible. Under no circumstances shall absentee ~~[ballots]~~ *ballot votes* be counted prior to the closing of the polls.

~~[H:] Notwithstanding the provisions of paragraph 1, upon the written challenges of 10 or more voters who are present at the polls no later than 1:00 p.m., the moderator shall postpone the processing of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election.]~~

**HB 248**, establishing a committee to study implementation of early processing of absentee ballots at state elections. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary Ann Knowles for Election Law: This bill would establish a committee to study implementation of early processing of absentee ballots at state elections. The committee has dealt with much of the process in another bill. The committee also has concerns about the provision in this bill that would consider the "feasibility of processing absentee ballots prior to Election Day." Such a provision would open the process to potential unintended consequences, and could result in ballot security issues. Vote 17-0.

**HB 265**, relative to procedures by absentee voters. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dick Marston for Election Law: This bill, as amended, will allow an absentee voter to authorize a family member or caregiver to deliver their ballot to their city or town clerk.

This is an alternate, common sense procedure requiring completion by the voter of an authorization identifying the family member or caregiver on the back of the return envelope. If the absentee ballot is delivered by a family member or caregiver, the clerk shall refuse to accept the ballot unless the delivery authorization on the return envelope is fully completed. Vote 17-0.

#### Amendment (0437h)

Amend the bill by replacing all after the enacting clause with the following:

1 Absentee Voting Materials; Return Envelope. Amend RSA 657:7, III to read as follows:

III. Return envelopes of size sufficient to contain the preceding envelope addressed to the town and city clerks of the state in which absentee voters shall return their ballots. On the envelopes shall be printed "Enclosed is the ballot of an absentee voter" and, at the top thereof, 4 blank spaces with the words "Name, Voting Address, Ward, Town or City" appropriately printed thereon. ***On the back of the return envelope shall be printed or stamped the following:***

***If you are having a family member or caregiver deliver this envelope to the city or town clerk, you must complete the following:***

***I, \_\_\_\_\_, hereby authorize \_\_\_\_\_, who is my \_\_\_\_\_ (state relationship of voter to person delivering the envelope) to deliver this envelope containing my absentee ballot to the city or town clerk. I understand that I must fully complete this authorization for the delivery of my ballot by such person to be valid and for the ballot so delivered to be counted.***

***(Signature)*** \_\_\_\_\_

2 Absentee Voting; Procedure by Voter; Procedure by Clerk. Amend RSA 657:17 and RSA 657:18 to read as follows:

657:17 Procedure by Voter. After marking the ballot, the voter or the person assisting a blind voter shall enclose and seal the same in an inner envelope. The voter shall execute the affidavit. The voter or the person assisting the blind voter shall enclose and seal the inner envelope with the affidavit in an outer envelope. The voter shall then endorse on the outer envelope his or her name, address, and voting place and shall mail the envelope, affixing postage, or personally deliver it to the city or town clerk from whom it was sent. ***Alternatively, the voter may authorize a member of his or her family or the voter's caregiver to deliver the envelope to the city or town clerk by completing the authorization on the back of the return envelope.***

657:18 Procedure by Clerk. Upon receipt of an outer envelope purporting to contain an official absentee voting ballot, the clerk of the city or town shall attach thereto the application for an absentee ballot submitted by said voter and record the information pursuant to RSA 657:15. All such envelopes shall be preserved unopened until election day. ***If the absentee ballot is delivered by a family member or caregiver, the clerk shall refuse to accept the ballot unless the delivery authorization on the return envelope is fully completed.***

3 Effective Date. This act shall take effect 60 days after its passage.

**HB 352**, relative to sending checklists to the state archives. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Evelyn M. Connor for Election Law: This bill, as amended, extends the deadline for supervisors of the checklist, and the corresponding officers in cities, to get marked checklists to the state archives from 60 days after the election to 90 days, after inputting the information in the statewide centralized voter database. Vote 17-0.

#### Amendment (0087h)

Amend the bill by replacing section 1 with the following:

1 Checklists to Archives. Amend RSA 659:102 to read as follows:

659:102 Preservation of Checklists. ~~[No later than the fourth Friday after]~~ ***Within 90 days of the closing of the polls for*** each regular state general election, and for each presidential primary election, the supervisors of the checklist in the towns, and the corresponding officers in the cities, shall send one of the marked checklists which were used in that election, certified by the officers, to the state archives. In addition, if directed by the secretary of state, they shall send one of the unmarked checklists which were used in the state general election at which a president was elected to the clerk of the federal district court for the district of New Hampshire. One marked copy of every checklist used in any election shall be turned over to the town or city clerk by the supervisors. The clerk shall preserve such checklists in his or her custody for a public record for a period set forth in RSA 33-A:3-a.

**HB 380-FN**, requiring disclosure of gifts and campaign contributions by lobbyists. **INEXPEDIENT TO LEGISLATE.**

Rep. Evelyn M. Connor for Election Law: This bill would require political committees and candidates filing campaign receipt and expenditure reports under RSA 664 to include a separate itemized list of donations from lobbyists. Currently, political candidates and political committees are required to itemize all receipts of contributions over \$25. Any listing which exceeds an individual's aggregate total of \$100 shall be accompanied by the contributor's occupation including official job title, the name of the contributor's employer and the city or town of the contributor's principal place of business. While the committee is fully in favor of transparency it regards such a requirement as a duplication of effort, and questions how such a requirement would work in practice. Vote 15-0.

**HB 412-FN**, relative to absentee voter applicant information. **INEXPEDIENT TO LEGISLATE.**

Rep. Mary Ann Knowles for Election Law: This bill would allow candidates for state or federal elections to obtain voter applicant information from either the secretary of state or the city or town clerk. The committee heard testimony from the New Hampshire City and Town Clerks' Association opposing the bill. They feared that unintended consequences could occur with electronic dissemination of this data. Those voters who request absentee ballots would have no idea about whether or not their names and information would be disseminated indiscriminately, and that they might be targeted for large volumes of calls and mail. The deputy secretary of state testified that there would not be an effective means of policing. Vote 17-0.

**HB 579**, establishing an independent legislative redistricting commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary B. Richardson for Election Law: This bill would establish an independent legislative redistricting commission. Although the idea of removing politics from the redistricting process sounds appealing, it is difficult to achieve and the bill has several technical problems. More importantly, Part 2, Article 9 of the New Hampshire constitution grants the legislature authority to "make an apportionment of representatives according to the last general census." Although it could be argued that it would be permissible for the legislature to delegate that authority, the committee felt that such a delegation would amount to abdication of our responsibilities. Based on the evidence presented to the committee, in those states that have adopted redistricting commissions, most, if not all, have done so by constitutional amendment. Vote 17-0.

**HB 234**, relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary S. Nelson for Executive Departments and Administration: The bill, as amended, consolidates existing language contained in several different existing licensing statutes. This consolidation clarifies and facilitates licensing for members of the military and their spouses. Vote 20-0.

**Amendment (0633h)**

Amend the bill by replacing section 1 with the following:

1 Occupations and Professions; Military Training or Experience; Spouses. RSA 332-G:7 is repealed and reenacted to read as follows:

332-G:7 Military Service; Occupational Experience or Training; Spouses.

I. Each of the boards or commissions established in this title shall, upon presentation of satisfactory evidence with an application for licensure, certification, or registration, accept education, training, or service completed by an individual as a member of the armed forces, as defined in defined in RSA 21:50, II, toward the qualifications required to receive the license, certificate, or registration in question.

II. Notwithstanding any general or special law to the contrary, upon the request of a licensee or registration or certificate holder who is a member of any reserve component of the armed forces of the United States or the national guard and is called to active duty, the corresponding board or commission shall place the person's license registration, or certificate on inactive status. The license registration, or certificate may be reactivated within one year of the person's release from active status by payment of the renewal fee and with proof of completion of the most current continuing education requirement, if any, unless still within the renewal period.

III. Notwithstanding any general or special law to the contrary, each of the boards or commissions under this title authorized to conduct licensure, certification, or registration, and examinations

therefor, shall upon the presentation of satisfactory evidence by an applicant before the board or commission, facilitate the issuance of a license or certification for a person: (i) who is certified or licensed in a state other than New Hampshire; (ii) whose spouse is a member of the armed forces in the United States; (iii) whose spouse is the subject of a military transfer to New Hampshire; and (iv) who left employment to accompany a spouse to New Hampshire. The procedure shall include, but not be limited to, facilitating the issuance of a license, certificate, or registration if, in the opinion of the board or commission, the requirements for licensure, certification, or registration of such other state are substantially equivalent to the requirements for licensure, certification, or registration in New Hampshire.

IV. Every board or commission under this title shall adopt rules under RSA 541-A for:

(a) What constitutes military education, training, or service acceptable for the specific regulated occupation or profession, as required under paragraph I.

(b) The procedures and notice required for the inactive status of licenses, certificates, or registrations under paragraph II.

(c) Procedures for facilitating issuance of licenses, certificates, or registrations for a spouse of a member of the armed forces as required in paragraph III.

#### AMENDED ANALYSIS

This bill requires boards and commissions granting licenses, certificates, or registrations to credit acceptable military education, training, or service to grant inactive status of licenses, certificates, or registrations during active military service; and to facilitate the issuance of licenses, certificates, or registrations for a spouse of a member of the armed forces.

**HB 334-FN**, requiring pharmacy interns to register with the pharmacy board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter B Schmidt for Executive Departments and Administration: This bill recognizes the responsibility of the pharmacy board with regard to maintaining the greatest possible control over access to prescription drugs and to prevent diversion thereof as much as possible. This oversight would be enhanced, the committee believes, by registering pharmacy interns. Vote 20-0.

#### Amendment (0625h)

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Definition Added; Pharmacy Intern. Amend RSA 318:1, XI-a to read as follows:

XI-a. *"Pharmacy intern" means a person who is registered by the board pursuant to RSA 318:15-b and:*

*(a) Is enrolled in a professional degree program of a school or college of pharmacy that has been approved by the board and is satisfactorily progressing toward meeting the requirements for licensure as a pharmacist starting no earlier than 4 months prior to the third year of study; or*

*(b) Is a graduate of an approved professional degree program of a school or college of pharmacy or is a graduate who has established educational equivalency by obtaining a Foreign Pharmacy Graduate Examination Committee (FPGEC) Certificate, who is currently licensed by the board of pharmacy for the purpose of obtaining practical experience as a requirement for licensure as a pharmacist; or*

*(c) Is a qualified applicant awaiting examination for licensure or meeting board requirements for re-licensure; or*

*(d) Is participating in a residency or fellowship program.*

XI-b. "Pharmacy technician" means a person, other than a pharmacist *or a pharmacy intern*, either registered or certified by the board for the purpose of assisting a pharmacist in the practice of pharmacy.

#### AMENDED ANALYSIS

This bill requires pharmacy interns to register with the pharmacy board and comply with rules concerning the functions of pharmacy interns adopted by the board.

**HB 342-FN**, relative to part-time employment of retired members of the retirement system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Raymond G. Gagnon for Executive Departments and Administration: The bill, as originally drafted, would have reduced the number of hours that New Hampshire retirement system (NHRS)

retirees could work for employers in the retirement system without penalty from 32 hours per week to 24 hours per week, and from a total of 1300 hours annually to 1000 hours annually. As amended in its entirety into a reporting requirement, it will provide valuable information regarding NHRS retirees. Employers will report the number of hours worked and the compensation earned to the NHRS on a quarterly basis, so NHRS can collect and maintain data that is unavailable now. The bill does not take effect until 120 days after passage to allow time to prepare, and includes a sunset provision in 2018, which allows time for sufficient data to be developed. Vote 18-1.

#### **Amendment (0677h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to reporting of compensation paid to retired members of the retirement system.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Retirement System; Report on Retiree Compensation. Amend RSA 100-A:16 by inserting after paragraph VI the following new paragraph:

VII. Every employer shall report to the retirement system quarterly, in a format provided by the retirement system, all compensation paid by the employer to retired members of the retirement system, including the name of, and the total hours worked, for each retired member of the retirement system.

2 Repeal; 2018. RSA 100-A:16, VII, relative to employer reports on retired member compensation, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 1, 2018.

II. The remainder of this act shall take effect 120 days after its passage.

#### **AMENDED ANALYSIS**

This bill requires retirement system employers to report quarterly to the retirement system all compensation paid to retired members of the retirement system. The requirement is repealed in 2018.

**HB 353**, relative to the regulation of private investigators and security guards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary S. Nelson for Executive Departments and Administration: This bill makes several changes to the statutes covering private investigators, security guards and bail recovery agents. It allows the commissioner or a designee to enforce the chapter. Additionally the commissioner may request the assistance of local or county law enforcement in investigating violations. It adds a licensed security guard to the advisory board created to review complaints. It adds bail recovery agents to the entities already required to obtain agency licenses at a cost of \$150.00 for an agency employing one licensed person. It requires a rifle familiarization course for all security officers, private investigators and bail enforcement agents who have rifles as part of their equipment, and adds shotgun familiarization for private investigators. The amendment removed provisions which would have required licensing for those engaged simply in research rather than active investigation and removed a provision which would have extended licensing to those conducting investigations into character, reputation, or fitness for employment. Vote 20-0.

#### **Amendment (0613h)**

Amend the bill by deleting section 3 and renumbering the original sections 4-7 to read as 3-6, respectively.

#### **AMENDED ANALYSIS**

This bill makes various changes to the licensing and regulation of private investigators, security guard services, and bail recovery agents by the commissioner of safety.

**HB 463-FN**, requiring property managers to be certified. **INEXPEDIENT TO LEGISLATE.**

Rep. Romeo Danais for Executive Departments and Administration: This bill would force certification of property managers through only one named organization to the exclusion of any and all other organizations that render relevant certifications. The committee was not persuaded that mandatory certification was needed. In addition, the committee felt that excluding all other organizations from being able to render certification and forcing managers to be certified only through one agency was incorrect. The committee also noted that the RSA to be amended had been largely superseded over a decade ago. Vote 20-0.

**HB 478-FN**, requiring the department of health and human services to license supervised visitation centers. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter B. Schmidt for Executive Departments and Administration: This bill is a reprise of legislation offered in the last term, unsuccessfully. The bill would require the department of health and human services to license supervised visitation centers, at a cost yet to be determined. This year, no one appeared on either side and the committee felt there was no alternative to ITL. Vote 18-0.

**HB 620-FN-L**, relative to the adjustment of member and employer contribution rates in the retirement system. **INEXPEDIENT TO LEGISLATE.**

Rep. Raymond G. Gagnon for Executive Departments and Administration: Groups representing both employees and employers opposed this bill. The concern was that the bill would increase the financial burden on employees, as well as cause budget increases for municipalities and other employers. An additional concern was that the issue of whether the legislature can increase contribution rates for active members is currently being challenged in Merrimack County Superior Court on constitutional grounds; hence it was felt the legislature should not complicate matters at this time. Vote 18-0.

**HB 313**, relative to the regulation of the compounding of drugs by pharmacists. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles E. McMahon for Health, Human Services and Elderly Affairs: In 2012, over 500 New Hampshire citizens were exposed to fungal meningitis due to contaminated medicine from an out of state compounding facility. As a result, there are still 13 currently being monitored for evidence of disease. This tragic event demanded that we review our policies and procedures to ensure this does not happen in our state. To meet that goal, HB 313, as amended, shall strengthen the oversight of New Hampshire compound medication pharmacies and improve quality protections for consumers who utilize compound medications. Further, with the passage of this bill, we shall have an enhanced definition of compounding, strict criteria and processes of compounding facilities based on the United States pharmacopeia standards, and improved labeling regulations to clearly identify compounded medications. Vote 15-0.

#### Amendment (0604h)

Amend the bill by replacing all after the enacting clause with the following:

1 Pharmacists; Definition of Compounding. Amend RSA 318:1, III-a to read as follows:

III-a. "Compounding" means the preparation, mixing, assembling, packaging or labeling of a drug or device as a result of a practitioner's prescription drug order or initiative based on the pharmacist-patient-prescriber relationship in the course of professional practice or, for the purpose of, or as an incident, to research, teaching, or chemical analysis, but not selling or dispensing. "Compounding" also includes the preparation of drugs or devices in anticipation of prescription drug orders based on routine, regularly observed prescribing patterns. ~~[The compound drug product shall bear the label of the pharmacy responsible for compounding and dispensing the product directly to the patient for administration, and the prescription shall be filed at that pharmacy.]~~ **"Compounding" shall not include the reconstitution of powdered formulations before dispensing.**

2 Pharmacists; Definition of Manufacturing. Amend RSA 318:1, VIII to read as follows:

VIII. "Manufacturing" means the production, preparation, propagation, conversion or processing of a drug or device, either directly or indirectly, by large volume extraction from substances of natural origin, or independently by means of chemical or biological synthesis, and includes any packaging or repackaging of a substance or labeling or relabeling of its container, and the promotion and marketing of such drugs and devices **for resale**. ~~["Manufacturing" also includes the preparation and promotion of commercially available products from bulk compounds for resale by pharmacists to anyone other than a patient via a prescription, practitioners, or other persons.]~~ **Manufacturing shall be governed by Good Manufacturing Practices as adopted and enforced by the federal Food and Drug Administration.**

3 Reference Added; Compounding. Amend RSA 318:14 to read as follows:

318:14 Pharmacy. A licensed pharmacist shall have the right to conduct a pharmacy for the compounding, **according to the provisions of RSA 318:14-a**, of medicines upon physicians', dentists', optometrists', podiatrists', veterinarians', advanced practice registered nurses', naturopathic doctors', and physician assistants' prescriptions ~~[and for the manufacture,]~~ **or valid order for the sale[;]** and distribution of drugs, medicines, and poisons.

4 New Section; Compounding. Amend RSA 318 by inserting after section 14 the following new section:

318:14-a Compounding.

I. Products that are not commercially available may be compounded for hospital or office use but shall not be resold or dispensed. Nonprescription items may be compounded upon order by a practitioner for sale as long as the labeling complies with RSA 318:47-a and the product is not a copy of, or similar to, prescription or nonprescription products. All compounding shall be done in compliance with the United States Pharmacopeia as defined by board of pharmacy rules.

II. The compound drug product shall bear the label of the pharmacy responsible for compounding and dispensing the product directly to the patient for administration, and the prescription shall be filed at that pharmacy. Compounded prescription labels shall include a statement similar to "This medication was specifically compounded for you at the request of your practitioner."

III. A pharmacist shall offer a compounded drug product to a practitioner for administration to an individual patient, in limited quantities. The compounded drug products are for practitioner administration only and shall not be re-dispensed. The pharmacist shall maintain records to indicate what compounded drug products were provided to the medical office or practice. Compounding pharmacies may advertise or otherwise promote the fact that they provide prescription compounding services, in accordance with state law and rules of the board, as well as applicable federal laws.

IV. Where a commercial drug shortage exists because a manufacturer is the only entity currently manufacturing a drug product of a specific strength, dosage form, or route of administration for sale in the United States, and the manufacturer cannot supply the drug product to the public or to practitioners for use, a pharmacist may compound a limited quantity using the active pharmaceutical ingredient and sell to a patient with a valid prescription from a valid prescriber. When the compounded drug product is sold to a medical office or practice it is for the practitioner to administer to patients, and shall not be for resale.

V. The board shall adopt rules under RSA 541-A concerning the regulation of compounding.

VI. Labeling requirements pursuant to paragraph II shall not apply when medication is dispensed to institutionalized patients as provided under RSA 318:47-b.

5 Dealing in or Possessing Prescription Drugs. Amend the introductory paragraph of RSA 318:42, II to read as follows:

II. Physicians, dentists, optometrists, podiatrists, veterinarians, advanced practice registered nurses, naturopathic doctors, and physician assistants from possessing, compounding *in accordance with RSA 318:14-a*, personally administering, or distributing prescription drugs to meet the immediate medical needs of their patients. For advanced practice registered nurses and physician assistants, compounding shall be limited according to RSA 318:42, VIII.

6 Prescription Labels; Reference to Compounding Added. Amend RSA 318:47-a to read as follows:

318:47-a Prescription Labels. Whenever a pharmacist dispenses a noncontrolled drug pursuant to a prescription, he shall affix to the container in which such drug is dispensed a label showing at least the name and address of the pharmacy and the name or initials of the dispensing pharmacist or pharmacist-in-charge; the prescription identification number assigned by the pharmacy; the date dispensed; any directions as may be stated on the prescription; the name of the prescribing practitioner; the name of the patient; all pertinent auxiliary labels; and, unless otherwise indicated by the prescribing physician, dentist, veterinarian, or advanced practice registered nurse, the name, strength, and quantity of the drug dispensed. All drugs dispensed to a patient that have been filled using a centralized prescription processing system shall bear a label containing an identifiable code that provides a complete audit trail of the dispensing of the drug and pharmaceutical care activities. No person shall alter, deface, or remove any label so affixed. ***A compounded drug product shall also be labeled as provided in RSA 318:14-a, II. The compound drug product shall bear the label of the pharmacy responsible for compounding and dispensing the product directly to the patient for administration, and the prescription shall be filed at that pharmacy. Compounded prescription labels shall include a statement similar to "This medication was specifically compounded for you at the request of your practitioner."***

7 New Paragraph; Controlled Drugs; Labels. Amend RSA 318-B:13 by inserting after paragraph III the following new paragraph:

IV. A compounded drug product shall also be labeled as provided in RSA 318:14-a.

8 Effective Date. This act shall take effect January 1, 2014.



**HB 375**, requiring certain health care organizations to report to the department of health and human services regarding implementation of New Hampshire's 10-year mental health plan. **OUGHT TO PASS.**

Rep. E. Elaine Andrews-Ahearn for Health, Human Services and Elderly Affairs: This bill provides a mechanism by which managed health care organizations/vendors are required to provide quarterly reports to the department of health and human services. This report will document the progress being made toward the benchmarks established for mental health services in the ten year mental health care program. Vote 19-0.

**HB 378**, requiring optometrists to warn parents about the progression of myopia when prescribing distance lenses for children. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank R. Kotowski for Health, Human Services and Elderly Affairs: Requiring optometrists to warn parents about progression of myopia when prescribing distance lenses for children is currently normal practice when deemed necessary by eye-care professionals. Data supporting the need for the legislatures to mandate notification is inconclusive at best. The committee is of the opinion that specifying what, or how, medical professionals must communicate to patients is not in anyone's best interest. Vote 19-0.

**HB 475**, relative to the timing of the release of patients from New Hampshire hospital. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen J. Schmidt for Health, Human Services and Elderly Affairs: This bill was drafted to address an issue regarding the timely release of patients from New Hampshire hospital. The committee found that the process of patient release was already tightly controlled. Patient rights are protected by strict medical as well as judicial protocols. The committee majority agreed that existing protocols would best protect patients, communities and the State of New Hampshire. Vote 17-1.

**HB 499**, establishing a commission to study funding mechanisms for increasing the number of mental health beds statewide. **INEXPEDIENT TO LEGISLATE.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This bill addressed a serious problem regarding the current bed capacity crisis at New Hampshire hospital and the lack of mental health hospital beds statewide. The primary purpose outlined in the bill was to form a committee to study funding mechanisms for mental health hospital beds. This is the responsibility of the Finance Committees of the House and Senate. In addition, the Health and Human Services Joint Oversight Committee has already initiated discussion on mental health hospital beds and the relationship to community mental health services. The sponsor agreed with this approach. Vote 18-0.

**HB 528**, relative to support and care costs for children with disabilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles E. McMahon for Health, Human Services and Elderly Affairs: The care and maintenance of disabled adults is a responsibility for which family resources are in constant demand. The intent of this bill, as presented, was to require divorced parents who have adult children with disabilities to provide monetary support as a result of a court order in a divorce action. Upon review, the bill was amended to specifically identify the length of court ordered support to end at age 21 and to thereby prevent the unintended consequence of a loss of eligibility for Medicaid disability waiver funding. Further, the bill, as amended, seeks to ensure that eligibility will not be compromised by the mandated requirement of funding from a divorced parent. This would put waiver funding at risk and increase general fund requests for support. Finally, the bill, as amended, ensures funding continues for disabled adults over age 21 via waiver funding for those that qualify. Vote 15-0.

#### **Amendment (0594h)**

Amend the bill by replacing section 1 with the following:

1 Parental Rights and Responsibilities; Duration of Support for Child with Disabilities. Amend RSA 461-A:14, IV to read as follows:

IV. The amount of a child support obligation shall remain as stated in the order until the dependent child for whom support is ordered completes his or her high school education or reaches the age of 18 years, whichever is later, or marries, or becomes a member of the armed services, at which time the child support obligation, including all educational support obligations, terminates without further legal action. ~~[If the order involves a disabled child, the court shall specify the duration~~

*of the order, which may be beyond the time when the child reaches the age of 18.] If the parties have a child with disabilities, the court may initiate or continue the child support obligation after the child reaches the age of 18. No child support order for a child with disabilities may continue after the child reaches age 21.*

### AMENDED ANALYSIS

This bill allows the court to initiate or continue child support beyond the age of 18 for children with disabilities, provided that the order does not continue after the child reaches age 21.

**HB 556**, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: Advances in information technology and telecommunications have the potential to transform health care in New Hampshire. This bill forms a committee to study the resolution of barriers that are identified including the delivery of services in rural areas. Telehealth can be of particular importance in the delivery of mental health services; a system that is now undergoing a severe crisis. The study will include issues regarding confidentiality, licensing regulations and insurance reimbursement. Vote 16-0.

### Amendment (0735h)

Amend the bill by replacing section 1 with the following:

1 Committee Established. There is established a committee to study the resolution of barriers, including identifying and attempting to resolve such barriers, to the use of telehealth technology in New Hampshire.

Amend the bill by replacing section 3 with the following:

#### 3 Duties.

I. The committee shall study the resolution of barriers, including identifying and attempting to resolve such barriers, to the use of telehealth technology in New Hampshire. The committee's study shall include, but not be limited to:

- (a) Patients lack of high speed Internet service necessary for videoconferencing.
- (b) Cumbersome licensing regulations for health care professionals.
- (c) Inconsistent reimbursement policies.
- (d) Any other matter the committee deems relevant to its study.

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

**HB 557**, establishing a committee to study the financial assistance program for needy families (FANF) and state supplemental programs (SSP) for the needy blind, permanently and totally disabled, and old age assistance. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill was introduced in an effort to study the financial assistance programs for needy families (FANF) and the state supplemental programs (SSP) for the needy blind, permanently and totally disabled as a result of budget cuts in the last biennium. Children and Family Law committee had a similar bill. The two committees discussed these bills with the stakeholders and decided to refer the subject matter to a subcommittee of the Health and Human Services Oversight committee. Consequently an ITL motion was made on HB 557. Vote 16-0.

**HB 636**, relative to the waitlist for community mental health services. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill extends the sunset of a provision that was passed in spring of 2011 which would allow the behavioral health centers to create a "waiting list" when necessary of those people with mental health disorders who are unable to pay for services but have an emergency situation. Providers can use their clinical judgment as to who needs to be seen emergently and who can wait. Prior law required that all clients be seen immediately which was not possible as the agencies faced shrinking financial resources. Those individuals who are severely mentally ill and in crisis will be seen right away but others will go on a waiting list that will prioritize the order in which they will be seen. This statute will sunset on July 1, 2015 which will give the legislature an opportunity for re-evaluation of this intervention. Vote 16-0.

**HB 127-FN-L**, relative to the state minimum hourly rate. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary M. Coulombe for Labor, Industrial and Rehabilitative Services: There were three bills submitted this session regarding minimum wage: HB 127, HB 241, and HB 501. The committee examined these three bills together and used HB 501 as a vehicle to go forward. Therefore, a recommendation of ITL was made for both HB 127 and HB 241. Vote 19-1.

**HB 241-FN**, establishing a state minimum hourly rate. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary M. Coulombe for Labor, Industrial and Rehabilitative Services: There were three bills submitted this session regarding minimum wage: HB 127, HB 241, and HB 501. The committee examined these three bills together and used HB 501 as a vehicle to go forward. Therefore, a recommendation of ITL was made for both HB 127 and HB 241. Vote 19-1.

**HB 373**, establishing a right of discovery to a carrier's investigation of claims in workers' compensation cases. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles F. Weed for Labor, Industrial and Rehabilitative Services: This bill, as amended, requires release of documents requested by an injured worker to be provided to that worker. The committee was unanimous in the belief that all information requested that could be reasonably be calculated to lead to admissible evidence should be provided to a claimant in a workers compensation in investigation and subsequent hearing. The claimant bears the burden of proof to demonstrate that he or she was hurt at work; the right of discovery levels the playing field whereas testimony was given that withholding evidence has jeopardized fair hearings in the past. Vote 18-0.

#### **Amendment (0569h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Materials to be Provided to Claimant Upon Request. Amend RSA 281-A by inserting after section 43 the following new section:

281-A:43-a Materials to be Provided to Claimant Upon Request. A carrier, self-insured, or the employer shall provide to the claimant, upon request, copies of all documents filed by the carrier or employer with the department of labor, copies of all correspondence to any medical personnel relative to the claim, all photographs or video taken, reports by any person or persons whether experts or not concerning the incident, conditions or maintenance of the equipment or machines or area, and copies of all statements obtained from any person and any other information or materials used during the carrier's investigation of whether to admit or deny the claim.

2 Effective Date. This act shall take effect January 1, 2014.

#### **AMENDED ANALYSIS**

This bill establishes a right of discovery to a carrier's investigation of claims in workers' compensation cases.

**HB 379**, prohibiting an employer from requiring an employee or prospective employee to disclose his or her social media passwords. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary M. Coulombe for Labor, Industrial and Rehabilitative Services: There were two bills submitted this session dealing with the same issue: HB 379 and HB 414. The committee chose to use HB 414 as a vehicle to move the issue forward, thus the committee voted to recommend ITL for HB 379. Vote 20-0.

**HB 414**, relative to privacy in the workplace. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Douglas A. Ley for Labor, Industrial and Rehabilitative Services: This bill closely limits employers from requesting or requiring employees and prospective employees to provide passwords or access to private social media accounts. Emphasizing maximal individual employee privacy, the bill does include specific exceptions. It allows employers to adopt policies governing and monitoring use of employer-owned electronic equipment, and permits employers to conduct certain investigations consistent with state and federal securities and financial laws, rules, and regulations. Vote 19-1.

#### **Amendment (0636h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Use of Social Media. Amend RSA 275 by inserting after section 70 the following new subdivision:

#### **Use of Social Media**

275:71 Definitions. In this subdivision:

I. "Social media" means an electronic medium where users may create and view user-generated content, including but not limited to uploading or downloading videos or still photographs, blogs, video blogs, podcasts, or instant messages.

II. "Personal account" means an account, service, or profile on a social networking website that is used by a current or prospective employee primarily for personal communications unrelated to any business purposes of the employer. This definition shall not apply to any account, service, or profile created, maintained, used, or accessed by a current or prospective employee for business purposes of the employer or to engage in business related communications.

**275:72 Use of Social Media.**

I. No employer shall request or require that an employee or prospective employee disclose a user name or password for accessing any personal account or service through an electronic communication device.

II. No employer shall compel an employee or applicant to add anyone, including the employer or the employer's agent, to a list of contacts associated with a personal account or require, request, suggest, or cause an employee or applicant to change the privacy settings associated with any personal account.

III. No employer shall take or threaten to take disciplinary action against any employee for such employee's refusal to provide a user name or password, to add anyone to a list of contacts, or to change a privacy setting.

IV. Nothing in this subdivision shall limit an employer's right to:

(a) Adopt and enforce lawful workplace policies governing the use of the employer's electronic equipment, including policies regarding Internet use, social networking site use, and electronic mail use.

(b) Monitor usage of the employer's electronic equipment and electronic mail.

V. Nothing in this subdivision shall prohibit an employer from obtaining information about an employee or prospective employee that is in the public domain or to prevent an employer from conducting an investigation to ensure compliance with securities or financial laws or other regulatory requirements based on information on an employee's personal website, Internet website, or web-based account or similar account for business purposes, except as proscribed in paragraph I and II.

VI. Nothing in this subdivision shall be construed to prevent an employer from complying with the requirements of state or federal statutes, rules or regulations, case law, or rules of self-regulatory organizations.

**275:73 Penalty.** Any employer violating RSA 275:72 shall be subject to a civil penalty, to be imposed by the labor commissioner in accordance with the procedures established in RSA 273:11-a. An employer aggrieved by the commissioner's assessment of such penalty may appeal in accordance with RSA 273:11-c.

**2 Effective Date.** This act shall take effect 60 days after its passage.

**HB 546**, relative to medical examinations under workers' compensation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sally H. Kelly for Labor, Industrial and Rehabilitative Services: This bill, as amended, changes a definition in the workers compensation statute; the term "independent medical examinations" is changed to "to employer required medical examinations" and further provides clarification that the examination is being performed at the request of the employer. The committee listened to testimony on both sides of the issue and it was clear the examinations are not independent but rather for the benefit of the employer, self insured or insurance company. There was no dispute in changing the term to eliminate confusion and make the purpose of the examination clear. Vote 20-0.

**Amendment (0642h)**

Amend the bill by replacing section 1 with the following:

**1 Workers' Compensation; Medical Examinations.** Amend RSA 281-A:38, II to read as follows:

II. Any health care provider conducting ~~[independent]~~ **employer-required** medical examinations under this chapter shall be certified by the appropriate specialty board as recognized by the American Board of Medical Specialties or obtain the approval of the commissioner for those specialties not recognized by such board. The health care provider shall maintain a current practice in that area of specialty. The ~~[independent]~~ **employer-required** medical examination shall take place within a 50-mile radius of the residence of the injured employee, unless, within the discretion of the

commissioner, examination outside the 50-mile radius is necessary to obtain the services of a provider who specializes in the evaluation and treatment specific to the nature and extent of the employee's injury. *The injured employee shall be told that the exam is at the request of the employer. The injured employee shall not be required to submit to more than 2 [independent] employer-required medical examinations per year, unless within the discretion of the commissioner, more than 2 examinations are necessary. An injured employee shall have the right to have a witness present during such examination. In the event that a witness is present, including but not limited to a witness taking notes or observing, on behalf of the injured employee, the witness shall not interfere in the examination in any way. The injured employee shall be required to sign an authorization, as prepared by the commissioner, to the effect that he or she understands that his or her medical history and condition or conditions will be discussed during said examination and that he or she waives any right to privacy that he or she may have under the circumstances of voluntarily allowing a witness to be present on his or her behalf.*

#### AMENDED ANALYSIS

This bill clarifies the conduct of independent medical examinations under workers' compensation.

**HB 363**, establishing a committee to study the form of the oath taken by members of the general court. **OUGHT TO PASS.**

Rep. George A. Lambert for Legislative Administration: A study committee on the oaths taken by members of the general court is necessary. As part of the hearing process the committee discovered through an error in the procedures for oaths signed by representatives in the current session. That error was introduced years ago due to an error in the reproduction of the state's Constitution and the forms. The office of the secretary of state agrees that to have a committee review these procedures would be beneficial. Vote 11-0.

**HB 410**, relative to the definition of gift received by an elected official, public official, public employee, or legislative employee. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary B. Richardson for Legislative Administration: This bill, as originally drafted, was one of several bills in committee that would have changed the definition of a gift of insignificant value for purposes of legislative ethics and made other changes to our ethics rules. The committee believes that there are sufficient ambiguities and confusion regarding ethics that it would make sense to do a comprehensive review of the rules and procedures of the legislative ethics committee and the laws governing legislative ethics. Accordingly, the committee amendment creates a commission to study and make recommendations for proposed legislation on or before November 1, 2013. Vote 12-0.

#### Amendment (0466h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Commission Established; Legislative Ethics. Amend RSA 14-B by inserting after section 10 the following new section:

14-B:11 Commission to Study and Update the Rules and Procedures of the Legislative Ethics Committee Under RSA 14-B and the Laws Governing Legislative Ethics Under RSA 15-B.

I. There is hereby established a commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B. The commission shall be composed of the following members:

(a) Four members of the house of representatives, appointed by the speaker of the house.

(b) Two members of the senate, appointed by the president of the senate.

(c) Three public members, each of whom shall be either a former member of the legislative ethics committee or a person otherwise knowledgeable in the field of governmental ethics procedures, appointed jointly by the speaker of the house and the president of the senate.

II. The legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall study the current laws, rules, and guidelines for legislative ethics under RSA 14-B and RSA 15-B as well as the procedures of the legislative ethics committee under

RSA 14-B and propose updates to the laws, rules, guidelines, and procedures as necessary, in light of the increased significance of statutory legislative ethics provisions since the enactment of RSA 14-B in 1991 and RSA 15-B in 2006.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. Five members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

2 Repeal. RSA 14-B:11, relative to the commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B, is repealed.

3 Effective Date.

I. Section 2 of this act shall take effect November 2, 2013.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill establishes a commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B.

**HB 128**, relative to recording public votes in public records. **INEXPEDIENT TO LEGISLATE.** Rep. James Verschuere for Municipal and County Government: This bill would have required the legislative body of any town, school district, or village district to require that any votes by advisory and governing bodies on budget items, warrant articles or ballot questions be recorded votes and the numerical tally of any such vote be printed in the town, school district, or village district warrant next to the affected warrant article or on the ballot next to the affected ballot question. Current law leaves these provisions to be determined locally by vote of the legislative body of the municipality. The sponsor did not appear to present the bill, leaving the sole testimony to a committee member who introduced the bill in lieu of the sponsor. The committee viewed this as a local issue not in need of further statutory action. Vote 12-2.

**HB 139**, relative to the time towns that have adopted official ballot voting have to approve bonding in solid waste management districts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kathleen M. Stroud for Municipal and County Government: This bill extends the amount of time towns have to adopt bonds in solid waste management districts. The new time line facilitates the required meetings and notices. Vote 17-0.

### Amendment (0219h)

Amend the bill by replacing all after section 2 with the following:

3 Solid Waste Management Districts; Corporate Body; Powers. Amend RSA 53-B:7, VI(c) to read as follows:

(c) If, before the ~~[45-day]~~ **120 day** period has passed, the legislative body of any member municipality votes to disapprove of the debt, it shall not be incurred. The provisions of RSA 31:5 shall not apply to actions by special town meetings under this paragraph. ***The provisions of RSA 32 and 33:8-a shall apply to actions by town meetings under this paragraph.*** A legislative body may disapprove the debt only if, under the terms and conditions of the district agreement, the municipality will incur obligations under RSA 53-B:7-c. After ~~[60]~~ **120 days** the district committee may again authorize the incurrence of debt which shall be subject to the rejection conditions of subparagraphs (a) and (c). A municipality which votes to reject 2 successive debt incurrences shall be allowed to withdraw from the district in accordance with the provisions of this chapter and the district agreement. If the municipality has not withdrawn within ~~[60]~~ **120 days** of the second debt rejection, the committee is authorized to incur the debt over the member municipality's rejection.

4 Solid Waste Management Districts; Corporate Body; Powers. Amend RSA 53-B:7, XX(a) to read as follows:

(a) No long-term contract shall take effect until ~~[45]~~ **120 days** after authorization by the district committee to allow for rejection of the proposed long-term contract by member municipalities under subparagraph (c), unless the rejection period and authority have been waived in the district agreement.

5 Solid Waste Management Districts; Corporate Body; Powers. Amend RSA 53-B:7, XX(c) to read as follows:

(c) If, before the ~~[45-day]~~ **120-day** period has passed, the legislative body of any member municipality votes to disapprove of the long-term contract, it shall not be entered into. The provisions of RSA 31:5 shall not apply to action by special town meetings under this paragraph. A legislative body may disapprove the contract only if, under the terms and conditions of the district agreement, the municipality will incur obligations under RSA 53-B:7-c. After ~~[60]~~ **120** days the district committee may again authorize the long-term contract which shall be subject to the rejection conditions of subparagraphs (a) and (c). A municipality which votes to reject 2 successive long-term contracts shall be allowed to withdraw from the district in accordance with the provisions of this chapter and the district agreement. If the municipality has not withdrawn within ~~[60]~~ **120** days of the second contract rejection, the committee is authorized to enter into the long-term contract over the member municipality's rejection.

6 Effective Date. This act shall take effect 60 days after its passage.

**HB 204-FN-L**, relative to the removal of social security and other numbers from registry of deeds documents available on the Internet. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Syndi G. White for Municipal and County Government: The committee recommends that this bill ought to pass with amendment because it is a step to protect the privacy rights of NH citizens. Under current law, the preparer of a document shall not include an individual's social security number, armed forces service numbers in a document that will be recorded in the registry of deeds. However, older documents often do contain these numbers, and the general public may be unaware that their personal information is easily accessible to anyone searching online. The counties who have put their information on line are exposing their residents to the risk of identity theft. This bill, as amended, will require registry staff to redact personal information on the online documents if they discover them during the course of regular business. Counties routinely charge for downloading these documents, and could set user fees to cover any costs incurred in the process of redaction. Vote 20-0.

#### **Amendment (0649h)**

Amend the bill by replacing section 1 with the following:

1 Registers of Deeds; Social Security Numbers and Financial Information. Amend RSA 478:4-b to read as follows:

478:4-b Records; Social Security Numbers and Financial Information.

I. The preparer of a document shall not include an individual's social security number, armed forces service number, credit card number, or deposit account numbers in a document that is prepared and presented for recording in the office of the register of deeds. This paragraph shall not apply to state or federal tax liens[;] ~~and certified copies of death certificates[, and other documents required by law to contain such information that are]~~ filed or recorded in the office of the register of deeds. For the purpose of this section, "preparer" shall mean the person who drafts the documents that are recorded with the register of deeds. Preparer shall not include any person who hires, requires, refers, pays, or requests that the documents be drafted or recorded.

II. If a deed or instrument that includes an individual's social security number, armed forces service number, credit card number, or deposit account numbers, was filed with the register of deeds and is available on the Internet, ~~[the individual may request that the register of deeds]~~ **and if the information is discovered by the register of deeds in the ordinary course of business after the effective date of this section, the register of deeds shall** redact such information from the Internet record. The register of deeds shall **also** establish a procedure by which individuals may request that such information be redacted from its files which are available on the Internet. Upon request, the information shall be redacted.

III. The register of deeds shall comply with an individual's request to redact his or her social security number, armed forces service number, credit card number, or deposit account numbers within 5 business days of the receipt of the request, or sooner, if ordered to do so by a court, for good cause shown.

#### **AMENDED ANALYSIS**

This bill requires the registers of deeds to remove social security numbers, armed forces service numbers, credit card numbers, and deposit account numbers discovered by registers in the ordinary cause of business from documents made available on the Internet.

**HB 429**, relative to service of writs against cities. **OUGHT TO PASS.**

Rep. James Verschueren for Municipal and County Government: This bill permits service of writs against certain cities to be made upon the city manager and city clerk. Current law requires writs to be served to the mayor or one of the aldermen and the city clerk. The change would make for an efficient, transparent process for people who wish to serve writs. This bill parallels duties of city managers under RSA 49-C:16. All testimony was strongly in favor of this bill as it removes an unnecessary impediment to efficient processing when the mayor and/or aldermen do not have day-to-day responsibility for city administration and are therefore not always readily accessible. Vote 16-0.

**HB 460-L**, relative to amending the default budget in towns that use official ballot voting. **INEXPEDIENT TO LEGISLATE.**

Rep. James P. Belanger for Municipal and County Government: Upon the failure to pass the proposed budget at the annual meeting, current statute provides for reverting to a default budget which is clearly defined. The default budget may not be to everyone's liking but it is a known amount when people go to the polls. Allowing the deliberative session, in an official ballot municipality, to not only come up with a proposed budget but to also put forth a default budget gives them the power to zero out or reduce a default budget to the point where the community could not meet its obligations. The current statutes defining a default budget at least allow the municipality to operate at the same level as the prior year when the default was acceptable. Leaving that open to modification at the deliberative session defeats the intent of those voters who wish to revert to the prior year's budget. If the deliberative session is allowed to amend the default budget, it could establish a default budget to be exactly the same as the proposed budget thus removing any options for the voters. Vote 16-0.

**HB 506**, relative to certain time periods for adoption and amendment of town codes and ordinances. **OUGHT TO PASS.**

Rep. James P. Belanger for Municipal and County Government: Holding public hearings in larger towns are not always easy to arrange. The current statute mandates two public hearings for adoption and amendment of town codes and ordinances to be held at least 10 days but not more than 14 days apart. This often puts the governing body in a squeeze. This bill changes the 14 days to 21 days allowing for more flexibility in the holding of the public hearings. NHMA supports this bill as a policy bill. The committee agrees that more time would be a benefit and saw no downside to the extended period. Vote 16-0.

**HB 522**, relative to duties of town treasurers. **OUGHT TO PASS.**

Rep. James E. Coffey for Municipal and County Government: This bill allows for a more efficient method of payment of invoices by a town without any loss of security or accountability. Vote 16-1.

**HB 531**, allowing towns and cities to exempt farm buildings and structures from property taxation. **INEXPEDIENT TO LEGISLATE.**

Rep. James P. Belanger for Municipal and County Government: The committee recognizes the need to support agriculture in our state. Exempting real estate used in one type of business while not in others is discriminatory. It is widely accepted and specified in state statute that equine activity is considered agricultural and this bill might be construed to include horse only barns, riding academies and other non farm buildings. The assessment of buildings in municipalities is a local control issue and assessors already have the authority to make local adjustments as needed. Vote 16-1.

**HB 541**, relative to city charters. **INEXPEDIENT TO LEGISLATE.**

Rep. Dorothea D. Hooper for Municipal and County Government: This bill would require city charters to provide that the city clerk be elected by the elected body of the city and further require the clerk to reside in the city. The committee felt that this might politicize the position. It would also interfere with hiring on the basis of residing rather than qualifications. The clerk would also be serving multiple bosses instead of a city manager. Vote 20-0.

**HB 589**, relative to a selectman serving on the school board. **INEXPEDIENT TO LEGISLATE.**

Rep. David J. Danielson for Municipal and County Government: After considering the proposal of the sponsor and considering the testimony of a number of speakers the committee agreed unanimously that a possible conflict of interest would occur by having a selectman appointed to the board. For municipalities where people may have served as both selectman and a school board member they do so based on a popular vote, thereby maintaining the integrity of the system. Vote 18-0.



**HB 593**, establishing a committee to study extending the due date for final property tax bills. **INEXPEDIENT TO LEGISLATE.**

Rep. Timothy D. Copeland for Municipal and County Government: Currently the state has hundreds of laws that deal with the assessing, billing, abatement, and collection of taxes. Many of these laws have dates and deadlines connected into the final billing date. If the final bill date was extended it would affect these laws and many of them would need to have extensive review and possible changes as well. The changes would not be small and would create a significant amount of work for many to change a system that works well now. Extending a due date for taxes by three months would create a serious hardship for most, if not all, communities in several ways. Most communities in New Hampshire decided years ago to use the "twice annual billing" for property taxes, which means bills are routinely due in July and December. One of the main reasons that most communities chose this semiannual billing process is that it allows communities to collect taxes several months in advance, which provides a community with a stronger cash flow and prevents the need for short term borrowing. As you may recall, prior to the law allowing semiannual tax billing in New Hampshire, many communities needed to borrow short term funds through the sale of Tax Anticipations Notes (TANs), which have an interest cost to them. Furthermore, extending the due date would decrease interest income on investments as well as decrease fees collected on late tax payments. The payback on what is outlined here would be extensive. Vote 18-1.

**HB 634**, relative to water resource management and protection plans in municipal master plans. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David J. Danielson for Municipal and County Government: Water has become a primary concern for many municipalities in the state, particularly how future building will affect supply. The committee felt it is critical that municipalities have the tools to consider water resources management. This simply adds a section to those topics that can be considered in a master plan. It is an option to use if wanted. Vote 19-1.

**Amendment (0598h)**

Amend the bill by replacing section 3 with the following:

3 New Subdivision; Water Resources Management and Protection Plans. Amend RSA 674 by inserting after section 66 the following new subdivision:

**Water Resources Management and Protection Plans**

**674:67 Water Resources Management and Protection Plans.**

I. A municipality may include in its master plan a local water resource management and protection plan to protect the quantity and quality of water resources. A local water resource and management plan may:

(a) Assess the adequacy of water resources by assessing the quality of the resource as compared to state standards, the amount of water available for consumption in a municipality, the amount of water currently being consumed or displaced in the municipality, and future water use needs based on local, regional, and state planning or population projection studies.

(b) Encourage the integration of comprehensive land use planning with planning for the protection and management of surface and groundwater resources.

(c) Provide statistical and scientific data to support proposed municipal ordinances intended to protect and manage water resources.

II. Local water resources management and protection plans shall be implemented through the adoption and enforcement of municipal ordinances consistent with the plan and through such other measures as are appropriate and legally available to municipal government for the furtherance of the objectives set forth in the plan.

III. Nothing in this subdivision shall be construed to allow municipalities to regulate surface or groundwater withdrawals regulated by the department of environmental services pursuant to RSA 485, RSA 485-C, and RSA 485-A:12, III and IV.

IV. Once a local water resources management and protection plan has been adopted, it shall be placed on file with the department of environmental services. The plan shall be made available to the public upon reasonable request and payment for any costs incurred in the duplication of the report.

**HB 655-FN**, relative to the collection of the amount of the property tax deferral for the elderly or disabled upon sale of the property. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Bickford for Municipal and County Government: This bill, as amended, requires towns to begin collection on deferred taxes upon the property's sale or other conveyance. Vote 20-0.

**Amendment (0488h)**

Amend RSA 72:38-a, IV-a as inserted by section 1 of the bill by replacing it with the following:

IV-a. When the owner of a property subject to a tax deferral sells or otherwise conveys the property, the owner or grantee shall pay in full the deferred taxes plus any interest due and the municipality shall provide recorded written release or satisfaction of the notice of tax deferral. If the owner or grantee, who shall be deemed to have notice of and shall take title to the property subject to the notice of tax deferral, does not pay the accrued amount on the property within 9 months of the date of sale or conveyance of the property, the municipality may commit the accrued amount of the deferral to the collector of taxes with a warrant signed by the assessing officials requiring him or her to collect it; and the collector of taxes shall have the same rights and remedies in relation thereto as provided in RSA 76:13 and RSA 80. Prior to holding a tax sale or executing a priority tax lien under RSA 80:59, the collector shall, at least 30 days prior to such tax sale or tax lien execution, send notice by certified or registered mail, to the last known post office address of the current owner, if known, or to the last known address of the taxpayer who received the deferral, and to all mortgagees from whom permission has been sought pursuant to paragraph III of this section. Any person with a legal interest in the property may redeem it, either prior to the tax sale or tax lien execution, or subsequently as set forth in RSA 80:32 or RSA 80:69.

**HB 257-FN**, discontinuing collection of the toll at exit 12 on the Everett turnpike in the town of Merrimack. **INEXPEDIENT TO LEGISLATE.**

Rep. Virginia Irwin for Public Works and Highways: The committee voted Inexpedient to Legislate on this bill due to the fact that there is another bill coming from the Senate to address this issue. The committee believes it should address the toll issues in Merrimack in the context of the overall F.E. Everett Turnpike improvements and in the context of the ten year transportation plan. Vote 19-0.

**HB 393**, relative to effluent limitations with regard to nitrogen and phosphorus. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Adam R. Schroader for Resources, Recreation and Development: This bill, as amended, reduces pollution in state lakes and bays by reducing nitrogen and phosphorus content of fertilizers sold at retail and intended for use on turf. Matching effective product standards recently set in other states, the bill provides consistency to business and a reasonable assurance of tax or rate savings to communities spending on wastewater projects to remove these same pollutants. The amendment allows municipalities and counties the ability to pass ordinances setting their own buffers and setbacks for use of fertilizer. Vote 17-2.

**Amendment (0561h)**

Amend RSA 431:4-c and 431:4-d as inserted by section 5 of the bill by replacing them with the following:

431:4-c Existing Inventories. No provision of RSA 431:4-a or RSA 431:4-b shall restrict the continued sale by retailers of any fertilizer from any existing inventories in stock on December 31, 2013.

431:4-d Preemption of Local Regulation. Except as otherwise specifically provided in this subdivision, no ordinance or regulation of local government, including but not limited to, an action by a local governmental agency or department, a county board of commissioners or a city council, or a local regulation adopted by the use of an initiative measure, may prohibit or in any way attempt to regulate any matter relating to the registration, sale, formulation, or transportation of fertilizer.

**HB 513**, relative to the shoreland protection act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Sid Lovett for Resources, Recreation and Development: This bill modifies several provisions of the shoreland protection act relative to minimum shoreland protection standards by clarifying definitions which will guide compliance regarding the maintenance of a waterfront buffers, groundcover and limiting impervious surfaces. The amendment defines the terms groundcover and unaltered state. It also indicates that the standards for impervious surface design refer to the ten-year, 24 hour storm, thus making this bill consistent with related law. Finally, the amendment clarifies the process of oversight and enforcement. Vote 17-0.

**Amendment (0590h)**

Amend the bill by replacing sections 1 through 3 with the following:

1 Definition; "Ground Cover." RSA 483-B:4, VII is repealed and reenacted to read as follows:

VII. "Ground cover" means any herbaceous plant or any woody seedling or shrub generally less than 3 feet in height. Ground cover shall not include lawns, landscaped areas, gardens, invasive species as listed by the department of agriculture, markets, and food in accordance with RSA 430:53, III, exotic species as designated by rule of the department of environmental services in accordance with RSA 487:24, VII, imported organic or stone mulches, or other artificial materials.

2 Definition; Unaltered State. Amend RSA 483-B:4, XXIV-b to read as follows:

XXIV-b. "Unaltered state" means *native* vegetation allowed to grow without cutting, limbing, trimming, pruning, mowing, or other similar activities except as needed for ~~[plant health, normal maintenance, and]~~ *renewal or to maintain or improve plant health*.

3 Enforcement by Commissioner. Amend RSA 483-B:5, II to read as follows:

II. The commissioner or his or her designee may, for cause, enter upon any subject land or parcel at any reasonable time ~~[after written notification]~~, *upon presentation of department identification*, to perform oversight and enforcement duties provided for in this chapter.

Amend the bill by replacing section 7 with the following:

7 Impervious Surfaces. Amend RSA 483-B:9, V(g)(1) to read as follows:

(1) No more than 30 percent of the area of a lot located within the protected shoreland shall be composed of impervious surfaces, unless a stormwater management system designed and certified by a professional engineer ~~[that will not concentrate stormwater runoff or contribute to erosion]~~ is implemented. *Such system design shall demonstrate that the post-development volume and peak flow rate based on the 10-year, 24-hour storm event, shall not exceed the pre-development volume and peak flow rate for flow off the property within the protected shoreland.*

**HB 516**, establishing a committee to study the overlap of federal, state, and local regulation relative to environmental issues. **OUGHT TO PASS.**

Rep. Brian Wazlaw for Resources, Recreation and Development: The committee established by this bill will review federal, state and local environmental permitting and regulatory permitting processes and programs common to development projects to determine whether these processes and programs contain duplicative regulation. The committee will review duplicative regulations and evaluate any value gained by redundancy. Vote 17-2.

**SB 57**, relative to approval of the project proposed by the Town of Alstead for the lower Warren Brook Restoration project, establishing a commission to determine the appropriate use of flood damaged property, and repealing a commission established in 2006 to determine the appropriate use of property damaged in the October 2005 floods. **OUGHT TO PASS.**

Rep. Leigh A. Webb for Resources, Recreation and Development: This bill represents the last phase of the clean up and restoration of devastation caused by the 2005 Alstead floods. It will enable a newly-formed commission to give DES the necessary approval to perform final reclamation work on this state-owned land. The federal funds for this project are due to expire in September 2013, thus necessitating the urgency of passage so the work can commence as quickly as possible. Vote 18-0.

**HB 374**, relative to electric utility investment in distributed energy resources. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ian P. Raymond for Science, Technology and Energy: This bill amends RSA 374: G, in order to better express the original intent of the RSA, which is to stimulate investment in clean renewable distributed energy resources. This bill offers clarification of the current statute, with a more concise description of the statute's purpose, as well as a hierarchical reordering of the criteria used by the public utilities commission when they determine whether a distributed energy resource is in the public interest. The amendment adds a competitive procurement criterion to minimize project costs. Vote 19-0.

**Amendment (0707h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose. Amend RSA 374-G:1 to read as follows:

374-G:1 Purpose. Distributed energy resources can increase overall energy efficiency and provide energy *security and* diversity by eliminating, displacing, or better managing *traditional fossil fuel* energy deliveries from the centralized bulk power grid, in keeping with the objectives of RSA 362-F:1.

It is therefore in the public interest to stimulate investment in distributed energy resources in New Hampshire *in diverse ways, including* by encouraging New Hampshire electric public utilities to invest in *renewable and clean* distributed energy resources [~~including clean and renewable generation~~] *at the lowest reasonable cost to taxpayers* benefiting the transmission and distribution system under state regulatory oversight.

2 Rate Filing; Authorization. RSA 374-G:5, I-III are repealed and reenacted to read as follows:

I. A New Hampshire electric public utility may seek rate recovery for its portion of investments in distributed energy resources from the commission by making an appropriate rate filing. At a minimum, such filing shall include the following:

(a) A detailed description and economic and environmental evaluation of the proposed investment.

(b) A discussion of the costs, benefits, and risks of the proposal with specific reference to the factors listed in paragraph II, including an analysis of the costs, benefits, and rate implications to the participating customers, to the company's default service customers, and to the utility's distribution customers.

(c) A description of any equipment or installation specifications, solicitations, and procurements it has or intends to implement.

(d) A showing that the utility has used a competitive bidding process to reasonably minimize the costs of the project to its customers.

(e) A showing that it has made reasonable efforts to involve local businesses in its program.

(f) Evidence of compliance with any applicable emission limitations.

(g) A copy of any customer contracts or agreements to be executed as part of the program.

II. Prior to authorizing a utility's recovery of investments made in distributed energy resources, the commission shall determine that the utility's investment and its recovery in rates, as proposed, are in the public interest. Determination of the public interest under this section shall include giving a balanced consideration and proportional weight to each of the following factors:

(a) The effect on the reliability, safety, and efficiency of electric service.

(b) The efficient and cost-effective realization of the purposes of the renewable portfolio standards of RSA 362-F and the restructuring policy principles of RSA 374-F:3.

(c) The energy security benefits of the investment to the state of New Hampshire.

(d) The environmental benefits of the investment to the state of New Hampshire.

(e) The economic development benefits and liabilities of the investment to the state of New Hampshire.

(f) The effect on competition within the region's electricity markets and the state's energy services market.

(g) The costs and benefits to the utility's customers, including but not limited to a demonstration that the company has exercised competitive processes to reasonably minimize costs of the project to ratepayers and to maximize private investment in the project.

(h) Whether the expected value of the economic benefits of the investment to the utility's ratepayers over the life of the investment outweigh the economic costs to the utility's ratepayers.

(i) The costs and benefits to any participating customer or customers.

III. Authorized and prudently incurred investments shall be recovered under this section in a utility's base distribution rates as a component of rate base, and cost recovery shall include the recovery of depreciation, a return on investment, taxes, and other operating and maintenance expenses directly associated with the investment, net of any offsetting revenues received by the utility directly attributable to the investment. The utility may recover all reasonable costs associated with the filing, whether or not the application is approved by the commission.

3 Effective Date. This act shall take effect 60 days after its passage.

**HB 517**, relative to the incidental combustion of untreated wood at certain municipal transfer stations. **OUGHT TO PASS.**

Rep. Charles L. Townsend for Science, Technology and Energy: Members of the committee find that New Hampshire towns have made provisions for alternate management of construction and demolition waste, largely keeping it out of burn piles and that the incidental combustion of untreated wood at solid waste transfer stations, when burned under the supervision of a solid waste operator, is not an impediment to those provisions. Therefore the committee supports allowing incidental combustion to continue. Vote 16-0.

**HB 192**, relative to street rods. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman A. Packard for Transportation: This bill would change the definition of a street rod from its original language of pre-1949 to 50 years or older. It would not accomplish the intent of the sponsors' constituent. The national hot rod association representatives opposed the changes this bill would bring about. Vote 15-1.

**HB 245**, relative to the cost of railroad crossings upon the restoration of rail service. **INEXPEDIENT TO LEGISLATE.**

Rep. George E. Sykes for Transportation: This bill would have required any railroad that restores service to an abandoned track to be responsible for the cost of restoring crossing points. Based upon a sub-committee report, the committee felt this bill was only addressing a possible future problem. The New Hampshire department of transportation as an owner of rail also testified in opposition to the bill. The committee felt also that more data was needed. Vote 9-2.

**HB 391-FN**, relative to highway noise and establishing a commission to study options for mitigation of damages associated with highway noise. **OUGHT TO PASS WITH AMENDMENT.**

Rep. George E. Sykes for Transportation: This bill will establish a committee to look into options that might be available to mitigate noise damage from highways. The committee amended the bill to establish a study committee to find answers to the many questions that arose during the public hearing. After the study, further recommendations on legislation may be possible. Vote 11-0.

**Amendment (0449h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study options for mitigation of damages associated with highway noise.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee to Study Options for Mitigation of Damages Associated With Highway Noise.

I. There is established a committee to study options for mitigating damages associated with highway noise.

II. The members of the committee shall be as follows:

(a) Three members of the house of representatives, one of whom shall be a member of the public works and highways committee, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

IV. The committee shall:

(a) Review data regarding the cost and effectiveness of methods of ameliorating road noise including methods used in New Hampshire, methods used in other states, and methods that are currently in development.

(b) Gather and review information on the effects noise levels above 65 decibels have on people whose primary residences abut highways, including testimony from affected individuals.

(c) Investigate options for mitigating damages caused by highway noise including compensation, methods detailed by the department, and any other technology that may exist.

V. The members of the committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

2 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill establishes a committee to consider options for mitigating damages associated with highway noise.

**HB 567**, relative to identification of publicly owned vehicles. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven D. Smith for Transportation: This bill would have required local, county, and city

governments as well as some non-profits to apply identifying markings on their vehicles. The committee felt that this was an unfunded mandate. Additionally, the bill refers to “agencies,” but does not define “agency,” making it difficult to enact. Vote 12-0.

**HB 240-FN-A**, repealing the prospective repeal date for the research and development tax credit. **INEXPEDIENT TO LEGISLATE.**

Rep. John D. Kelley for Ways and Means: This bill is no longer needed after the passage of SB 1. The gist of this bill is included in SB 1. Vote 16-2.

**HB 487-FN**, relative to refunds for tobacco tax stamps. **INEXPEDIENT TO LEGISLATE.**

Rep. Richard Ames for Ways and Means: This bill seeks to limit refunds for tobacco tax stamps purchased by wholesalers. Its purpose, in part, is to prevent speculative stamp purchases that might be attempted in advance of proposed or contingent increases in the tobacco tax rate. Closely related to this problem is the question of whether and how to provide for a so-called “floor tax” on tobacco products held by retailers to which tobacco stamps purchased at the prior, lower rate have been affixed by the wholesaler. Retailers testified that the “floor tax” is unduly burdensome to administer and should be avoided or minimized if at all possible. The committee will seek to properly address these problems through an amendment to HB 659, an act increasing the tobacco tax. Therefore, this bill is unnecessary. Vote 17-0.

**HB 581-FN-L**, relative to recovering moneys from a neighboring state for mitigation of flooding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Thomas C. Schamberg for Ways and Means: This bill was requested by 18 immediate towns affected by the building of multiple federal dams that flooded 20,000 acres of NH lands and impacted revenue lost to these towns. A compact between New Hampshire and the states of Massachusetts and Connecticut, which benefited from the flood control, was entered into for payment of compensation for tax losses. The bill urges the attorney general of NH to expedite pursuit of underpayments owed NH under the compacts. Vote 18-0.

#### **Amendment (0121h)**

Amend the bill by replacing section 1 with the following:

1 Recovery of Flood Moneys. The attorney general is hereby urged to expedite the pursuit of the arrearages owed to New Hampshire by Massachusetts for mitigation of flooding as part of the 1953 and 1957 interstate compacts. The attorney general shall make quarterly reports to the speaker of the house of representatives, the president of the senate, and the governor commencing on November 1, 2013 regarding its efforts to collect the moneys owed.

#### **AMENDED ANALYSIS**

This bill urges the attorney general to expedite the pursuit of moneys owed to New Hampshire by Massachusetts for mitigation of flooding pursuant to 2 interstate compacts.

**HB 598**, relative to the reasonable compensation deduction under the business profits tax. **OUGHT TO PASS.**

Rep. Patricia T. Lovejoy for Ways and Means: This bill raises the safe-harbor recordkeeping threshold for reasonable compensation from \$50,000 to \$75,000. The department of revenue administration anticipates little to no revenue impact of this change. This bill helps small businesses by reducing compliance requirements. Vote 18-0.

**HB 662-FN**, requiring the department of revenue administration to collect and make available data on the amount of meals and rooms tax revenue generated in each municipality. **INEXPEDIENT TO LEGISLATE.**

Rep. Patrick F. Abrami for Ways and Means: This bill calls for the DRA to collect data on the amount of meals and rooms tax revenue by municipality by the tenth day of the following month. The committee unanimously voted to ITL this bill citing four practical reasons. First, revenues for a month are not available in ten days; second, tax confidentiality law prevents the revealing of tax data for municipalities with less than 30 taxpayers; third, many businesses with sites in multiple municipalities file a consolidated return with all revenues being reported in one municipality; fourth, some businesses are seasonal, pushing them above and below the 30 taxpayer threshold potentially creating much work for the DRA. Vote 18-0.

**HB 676-FN-A-L**, extending and expanding the Coos county job creation tax credit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia T. Lovejoy for Ways and Means: As amended, this bill extends the sunset date of the Coos county tax credit from 2013 to 2018. This credit has been a successful and inexpensive credit for developing jobs in Coos County. Vote 18-0.

**Amendment (0640h)**

Amend the title of the bill by replacing it with the following:

AN ACT extending the Coos county job creation tax credit.

Amend the bill by replacing all after the enacting clause with the following:

1 Business Enterprise Tax; Coos County Job Creation Tax Credit. Amend RSA 77-E:3-c, II to read as follows:

II. The initial job creation tax credit allowed under this paragraph shall not apply to any tax period ending prior to the effective date of this section, or to any tax period ending after December 31, ~~2013~~ **2018**. After being initially granted, the tax credit shall be renewable for 4 consecutive additional years, provided that no additional tax credit shall be granted *under this chapter* for any tax period after December 31, ~~2017~~ **2022**.

2 Effective Date. This act shall take effect July 1, 2013.

**AMENDED ANALYSIS**

This bill extends the Coos county job creation credit for 5 years.

**REGULAR CALENDAR - Part I**

**SPECIAL ORDER**

**HB 472**, relative to residential units in rooming houses. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Edward A. Butler for the Majority of Commerce and Consumer Affairs: This bill simply closes a loophole currently being used by some landlords to continue to keep those living in rooming houses from becoming tenants. RSA 540:1-a, IV(a) as it exists states that there is an exemption from tenancy rights for "Rooms in rooming or boarding houses which are rented to transient guests for fewer than 90 consecutive days." Some landlords have been skirting this simply stated expectation by moving rooming house guests to another room before their 90 days expires, effectively preventing them from becoming tenants. The majority believes that it is only right to reinforce the 90 day limitation, to prevent skirting the law, and to allow those living in rooming houses to become tenants, with the rights and responsibilities associated with that status, after 90 days of consecutive residency. Vote 10-7.

Rep. Laura M. Jones for the Minority of Commerce and Consumer Affairs: The minority agrees with the majority that this bill was introduced with good intentions, to improve living conditions for occupants of rooming houses. Currently, occupants can be moved to another room, within the same rooming house, before 90 days have passed, in order to avoid tenancy status. Why would rooming house landlords want their occupants to be exempt from the definition of tenancy? According to one landlord who testified, many occupants have criminal records and/or behavior problems, or they are on a "bad tenants" list and other landlords will not rent to them. In other words, they are the type of occupants that a landlord would prefer to be able to "lock-out," should a problem arise, instead of going through the standard, time-consuming eviction process for evicting a "tenant." This landlord testified that if this legislation becomes law, he will sell his two rooming houses. He said that being a rooming house landlord will not be worth the trouble. According to a report emailed to the committee, by the Economic Justice Project Coordinator of the American Friends Service Committee, and published by Housing Action NH, there is a shortage of 24,000 rental units in the very low income category. Losing more of these units will cause a hardship since without this option; many occupants could end up in homeless shelters at taxpayer expense. Another unintended consequence, caused by this legislation, may be that more occupants will be "locked-out" just before the 90 day time period has passed. This will be very inconvenient for occupants because they will have to move and find another rooming house that will rent to them. Even though advocates for rooming house occupants, who testified before the committee, do not believe this legislation will have a detrimental effect, the minority believes that this legislation may reduce the supply of affordable housing and inconvenience occupants.

The question being adoption of the majority committee report of Ought to Pass.

On a division vote, 189 members having voted in the affirmative and 138 in the negative, the majority committee report was adopted and ordered to third reading.

#### **SPECIAL ORDER**

**HB 153**, prohibiting the designation of industrial hemp as a controlled substance. **OUGHT TO PASS.** Rep. Mark Warden for Criminal Justice and Public Safety: This enabling legislation would allow the growing of industrial hemp in New Hampshire. It specifies that the industrial plant be removed from the controlled substance statute. By removing the prohibition, this bill allows a new agricultural crop to be grown, if a farmer so chooses. The committee saw examples of hemp textiles and hemp food (oil, seeds) products. Vote 17-2.

Committee report adopted and ordered to third reading.

#### **SPECIAL ORDER**

**HB 247-FN**, increasing compensation for wrongful incarceration. **OUGHT TO PASS.**

Rep. Kyle J. Tasker for Criminal Justice and Public Safety: This bill would raise the compensation for the extremely rare case of wrongful incarceration from a maximum of \$20,000 total to \$20,000 for each year of wrongful incarceration. The committee feels because only one case of wrongful conviction was brought to our attention the financial burden will not be significant. The amended dollar figure is much more reasonable and realistic and fair compensation has the potential to forestall potentially disastrous law suits. Vote 10-9.

Committee report adopted and ordered to third reading.

#### **SPECIAL ORDER**

**HB 453**, repealing the prospective repeal of the information and analysis center. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Linda Harriott-Gathright for the Majority of Criminal Justice and Public Safety: In 2010 the legislature established an information and analysis center (IAC) at the department of safety, and enacted RSA Chapter 651-F, which set forth how the center would be operated and the procedures that should be taken to ensure that people's civil rights were not violated by the center. After the 9/11 tragedy, a commission was set up by Congress to study how the nation's intelligence, security, law enforcement and defense agencies missed the fact that the 9/11 terrorists had entered this country on fake credentials, traveled across the country, including New England, and were never discovered by the FBI, CIA, or the military. The commission concluded that federal agencies were not in the best position to gather intelligence on terrorist organizations and terrorists within the country itself, and that local, state and county law enforcement, being closer to the people, should be first line of defense. A robust data collection system can help us identify what and where these places are and to warn us, not only of terrorist or criminal activity, but also such natural disasters as hurricanes and floods. By monitoring the depth and speed of melting of the snow pack in the spring IAC can work with the DES bureau of dams and prevent flooding. We can "lean forward" and proactively place sandbags and other resources in low lying areas in advance of coastal flooding. New Hampshire, unique among the states, set up what we call an "all crimes/all hazards" center, which is our IAC. We don't just gather and share data on terrorism, or on crime, but we look at natural hazards as well and try to prepare the state for them, to prevent them whenever we can and give safety warning to our citizens. Further, an advisory committee, including the attorney generals office and the New Hampshire civil liberties union serve to ensure that our civil rights are not violated. Vote 14-5.

Rep. Mark Warden for the Minority of Criminal Justice and Public Safety: The minority feels the New Hampshire fusion center (officially known as the information and analysis center) is an unnecessary redundancy. The justification for its existence was to improve communications among federal, state and local law enforcement entities. This can be accomplished without a separate bureaucracy. The original legislation for the center included a sunset provision; this bill would repeal that sunset. With limited resources, the money spent on this program, run under the auspices of homeland security, could be used for more pressing state needs.

Majority committee report adopted and ordered to third reading.

Rep. Christopher Andrews declared a conflict of interest and did not participate.

#### **SPECIAL ORDER**

**HB 498**, permitting the use of firearms by military or veterans groups in the compact part of a town for military or veterans events, or national holidays. **INEXPEDIENT TO LEGISLATE.**



Rep. Kyle J. Tasker for Criminal Justice and Public Safety: This bill removes the requirement to alert the local police prior to a discharge of firearm or cannon in connection with a military funeral, national holidays and other military commemorations. Veterans have never been refused permission for these activities. The majority of the committee feels this bill is unnecessary. Vote 13-6.

Rep. Pantelakos moved Recommit and spoke in favor.

Adopted.

Recommitted to the Committee on Criminal Justice and Public Safety.

### SPECIAL ORDER

**HB 161**, relative to school district policies on health and sex education. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ralph G. Boehm for Education: This bill allows parents to opt-out of sex education lessons in the health curriculum for religious objections and personal beliefs. The amendment keeps in the religious objection for health curriculum. This bill puts into law what is policy in a lot of school districts. Current law allows parents to opt-out for only religious reasons for the sex education portion of the health curriculum. Vote 13-5.

#### Amendment (0321h)

Amend the bill by replacing section 1 with the following:

1 State Board of Education; Duties. Amend RSA 186:11, IX-b to read as follows:

IX-b. Health and Sex Education. Require school districts to adopt a policy allowing an exception to a particular unit of health ~~[or sex]~~ education instruction based on religious objections *and a policy allowing an exception to a particular unit of sex education instruction based on religious objections or personal beliefs*. Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.

#### AMENDED ANALYSIS

This bill requires a school district to adopt a policy allowing an exception to health and sex education based on religious objections, personal beliefs, or both.

Rep. Boehm yielded to questions.

#### MOTION TO LAY ON THE TABLE

Rep. French moved that **HB 161**, relative to school district policies on health and sex education, be laid on the table.

Rep. Baldasaro requested a roll call; sufficiently seconded.

#### YEAS 160 NAYS 192

##### YEAS 160

##### BELKNAP

Arsenault, Beth	DiMartino, Lisa	Fields, Dennis	Raymond, Ian
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##### CARROLL

Buco, Thomas	Crawford, Karel
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##### CHESHIRE

Ames, Richard	Berch, Paul	Burridge, Delmar	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Lerandeau, Alfred	Ley, Douglas
Mann, John	Phillips, Larry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles	Young, Harry		

##### COOS

Enman, Larry	Hammon, Marcia	Moynihan, Wayne	Thomas, Yvonne
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##### GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Harding, Laurie

Higgins, Patricia  
Mulholland, Catherine  
Sykes, George

Lauer, Linda  
Nordgren, Sharon  
Townsend, Charles

Lovett, Sid  
Pastor, Beatriz  
White, Andrew

Massimilla, Linda  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Grady, Brenda  
Judy, Jean  
MacKay, Mariellen  
Ober, Lynne  
Rosenwald, Cindy  
Soucy, Timothy  
Walsh, Robert Jr

Beaulieu, Jane  
Campbell, David  
Gage, Ruth  
Hackel, Paul  
Kopka, Angeline  
Manley, Jonathan Sr  
Ober, Russell III  
Schmidt, Janice  
Sullivan, Peter

Boisvert, Ronald  
Carroll, Douglas  
Gale, Sylvia  
Hammond, Jill  
Leishman, Peter  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Vail, Suzanne

Booras, Efstathia  
Chandley, Shannon  
Goley, Jeffrey  
Heden, Ruth  
Levesque, Melanie  
O'Brien, Michael Sr  
Rhodes, Brian  
Smith, Timothy  
Vaillancourt, Steve

### MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Kidder, David  
Rice, Chip  
Shurtleff, Stephen  
Webb, Leigh

Andrews, Christopher  
Carson, Clyde  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Richardson, Gary  
Tilton, Joy

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Rogers, Katherine  
Turcotte, Alan

Bouchard, Candace  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
Myler, Mel  
Schuett, Dianne  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Charron, Gene  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Muns, Chris  
Ward, Gerald

Borden, David  
Copeland, Timothy  
Flockhart, Eileen  
Major, Norman  
Pantelakos, Laura  
Wazlaw, Brian

Briden, Steven  
Devine, James  
Heffron, Frank  
Mann, Maureen  
Sytek, John  
Whittemore, Lisa

Cali-Pitts, Jacqueline  
Elliott, Robert  
Helmstetter, Barbara  
Moody, Marcia  
Till, Mary

### STRAFFORD

Baber, William  
Grassie, Anne  
Malloy, Dennis  
Schmidt, Peter  
Stevens, Audrey

Berube, Roger  
Hooper, Dorothea  
Miller, David  
Smith, Marjorie  
Wall, Janet

Bickford, David  
Hubbard, Pamela  
Perry, Robert  
Spainhower, Dale  
Ward, Kenneth

Burke, Rachel  
Kaen, Naida  
Rollo, Deanna  
Spang, Judith

### SULLIVAN

Gottling, Suzanne  
Tanner, Linda

Irwin, Virginia

O'Hearne, Andrew

Sweeney, Cynthia

### NAYS 192

### BELKNAP

Burchell, Richard  
Flanders, Donald  
Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Gulick, Ruth  
Vadney, Herbert

Fink, Charles  
Holmes, Stephen  
Worsman, Colette

### CARROLL

Ahlgren, Christopher  
Lavender, Tom  
Umberger, Karen

Butler, Edward  
McConkey, Mark  
White, Syndi

Chandler, Gene  
Nelson, Bill  
Wright, Donald

Cordelli, Glenn  
Ticehurst, Susan

### CHESHIRE

Butynski, William  
Parkhurst, Henry

Hunt, John

Johnsen, Gladys

Johnson, Jane

**COOS**

Coulombe, Gary  
Theberge, Robert

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester  
Piper, Wendy

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Gagne, Larry  
Graham, John  
Harriott-Gathright, Linda  
Jack, Martin  
Lambert, George  
Marston, Dick  
Murphy, Keith  
O'Brien, William  
Pellegrino, Tony  
Sanborn, Laurie  
Straight, Philip  
Ulery, Jordan  
Williams, Carol

Belanger, James  
Cebrowski, John  
Danielson, David  
Garcia, Michael  
Haefner, Robert  
Hinch, Richard  
Jasper, Shawn  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
O'Flaherty, Tim  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Villeneuve, Moe  
Williams, Kermit

Boehm, Ralph  
Christiansen, Lars  
DiSilvestro, Linda  
Gargas, Carolyn  
Hansberry, Daniel  
Hopper, Gary  
Knowles, Mary Ann  
LeVasseur, Richard  
McCloskey, David  
Nelson, Mary  
Palmer, Stephen  
Pratt, Calvin  
Shaw, Barbara  
Sweeney, Shawn  
Warden, Mark  
Winters, Joel

Burt, John  
Coffey, James  
Flanagan, Jack  
Gorman, Mary  
Hansen, Peter  
Infantine, William  
Kurk, Neal  
Long, Patrick  
Meaney, Richard  
Notter, Jeanine  
Parison, James  
Renzullo, Andrew  
Spratt, Stephen  
Takesian, Charlene  
Willette, Robert  
Woodbury, David

**MERRIMACK**

Burns, Scott  
Kotowski, Frank  
Ratzki, Mario  
Walsh, Thomas IV

Frazer, June  
McGuire, Carol  
Reed, Dennis

Hess, David  
McGuire, Dan  
Schamberg, Thomas

Hoell, J.R.  
Moffett, Howard  
Smith, Todd

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Hayes, Jack  
Kappler, Lawrence  
McMahon, Charles  
Packard, Sherman  
Rice, Frederick  
Schroadter, Adam  
Sweeney, Joe  
Waterhouse, Kevin

Allen, Mary  
Birdsell, Regina  
Cushing, Robert Jr  
Dumaine, Dudley  
Friel, William  
Grace, Curtis  
Hodgdon, Bruce  
Khan, Aboul  
Milz, David  
Peckham, Michele  
Sanders, Elisabeth  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Baldasaro, Alfred  
Cahill, Michael  
Dana, Romeo  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Lundgren, David  
Nigrello, Robert  
Perkins, Amy  
Sapareto, Frank  
Sherman, Thomas  
Tremblay, Stella

Belanger, Ronald  
Chirichiello, Brian  
DeSimone, Debra  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
McKinney, Betsy  
O'Connor, John  
Perkins, Lawrence  
Scarlott, Joe  
St. James, Kevin  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Ginsburg, Philip  
Horrigan, Timothy  
Rogers, Rose Marie

Bixby, Peter  
Gray, James  
Jones, Laura  
Verschuere, James

Burdwood, Greg  
Groen, Warren  
Parsons, Robbie

Gardner, Janice  
Grossman, Kenneth  
Pitre, Joseph

**SULLIVAN**

Cloutier, John  
Rollins, Skip  
and the motion failed.

Gagnon, Raymond  
Schmidt, Andrew

Grenier, James  
Smith, Steven

Lefebvre, Benjamin

Amendment adopted.

On a division vote, 246 members having voted in the affirmative and 106 in the negative, the committee report was adopted and ordered to third reading.

### **SPECIAL ORDER**

**HB 576**, establishing Franklin Pierce Day. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill would have the governor declare November 23 of every year as Franklin Pierce Day. Pierce, the only president from New Hampshire, was a very controversial figure in his time and the controversy is still alive today. As a compromise candidate during the divisive period leading up to the Civil War, Pierce was reviled in New Hampshire for his support of the Kansas-Nebraska Act, which extended slavery to the western territories, and his vigorous enforcement of the Fugitive Slave Act. The committee was unwilling to perpetually honor such a person, and suggests to the sponsors that the governor can proclaim such a day on her own authority. Vote 15-0.

### **LAID ON THE TABLE**

Rep. Vaillancourt moved that **HB 576**, establishing Franklin Pierce Day, be laid on the table.

On a division vote, 221 members having voted in the affirmative and 129 in the negative, the motion was adopted.

### **REGULAR CALENDAR - Part I (CONT'D)**

### **SPECIAL ORDER**

**HB 486-FN-A**, making an appropriation for the purpose of paying residential care providers at the Chase Home for Children. **OUGHT TO PASS.**

Rep. Cindy Rosenwald for Finance: This bill appropriates 2.7 million in general funds to settle a lawsuit on rates for at-risk children's shelter services; the state lost the lawsuit in 2011. This appropriation has been set aside from FY 2012 funds and already accounted for in the 2012 comprehensive annual financial report (CAFR). This appropriation, therefore, does not impact either the current or future budget, but the bill is needed to allow the state to make the payment as directed by the courts. Vote 24-0. Committee report adopted and ordered to third reading.

### **SPECIAL ORDER**

**HB 614-FN**, limiting the authorization for new annual general fund-supported debt. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Bernard L. Benn for the Majority of Finance: The intent of this bill is to limit the amount of general fund supported debt in any biennium to 90% of the debt paid off in the prior biennium. The sponsor proposed an amendment to address some of the concerns expressed at the full committee hearing such as dealing with emergencies, short term borrowing needed by the treasury, and a sunset provision. The Finance committee appreciated the intent of the bill but chose not to develop the proposed amendment. The general sense of the committee was that the bill in any form was not needed at this time since the legislature, under both Republican and Democratic leadership, has shown "backbone," has resisted too much borrowing, and has kept New Hampshire's debt to unrestricted revenue ratios well within the parameters set by the state treasurer and that which is expected by the bond rating agencies. Vote 14-11.

Rep. Neal M. Kurk for the Minority of Finance: The legislature has traditionally had the "backbone" to limit its authorization of capital appropriations to an amount recommended by the state treasurer. However, in recent years, state authorized debt has increased more rapidly than usual, and measures of indebtedness looked at by bond rating agencies, such as debt per capita and debt as a percent of personal income, have risen significantly. This bill would have the state return to more prudent debt levels by limiting the authorization of new debt to no more than 90% of retired debt. Fiscal responsibility suggests the state should not live beyond its means.

The question being adoption of the majority committee report of Inexpedient to Legislate.

On a division vote, 222 members having voted in the affirmative and 127 in the negative, the majority committee report was adopted.

### **SPECIAL ORDER**

**HB 623-FN-A**, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter R. Leishman for Finance: The prime sponsor and supporters of this bill are to be complimented for bringing this important issue to the forefront of the legislature. As a result of the severe economic downturn during the last two biennia, the funding of approved state drinking water, wastewater and landfill closure projects was deferred. However, as with other appropriations bills, the committee believes that this requested appropriation should be addressed in HB 1, the budget bill. Therefore, as with other stand-alone appropriations bills this session, the committee recommends ITL. The committee will make the restoration of the funding of these projects a top priority during the upcoming budget. Additionally, the governor has included some funding for this important program in her budget. Vote 22-2. Committee report adopted.

**HB 271**, stating that New Hampshire will not accept expanded Medicaid. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laurie Harding for Majority of Health, Human Services and Elderly Affairs: The primary reason that the committee voted HB 271 inexpedient to legislate was because passage of this bill would close the door on further discussion related to Medicaid expansion. It was clear from the public hearing that those testifying (45-50 people) at the very least expected the legislature to continue to explore Medicaid expansion as an option for not only increasing the number of individuals in New Hampshire with health care coverage but also because it would be a vehicle for bringing hundreds of millions of federal dollars into the state. In fact, the federal law is clear that the federal financing / matching rate is: 100% for calendar years 2014, 2015, and 2016; 95% for calendar year 2017; 94% for 2018; 93% for 2019; and 90% for calendar year 2020 and each year thereafter. Section 1905(y) (1) of the Social Security Act, codified at 42 USC § 1396d(y)(1). The Medicaid expansion and its federal financing / matching rate are enshrined in federal law. Changing either of these federal government obligations would require an Act of Congress. In addition, the expansion is entirely voluntary; states can decide when to come into the expansion and they can decide when to leave. During the hearing, the committee heard from business people, representatives from insurance companies, hospitals, physicians, nurses, those suffering from and providers treating people with substance use disorders, as well as many others supporting Medicaid expansion. The ongoing themes of public testimony were related to: doing what is right by working people who are uninsured and have no regular access to health care, helping business owners who can't afford to offer coverage to their low-income employees, addressing the concerns of health care providers who now receive no compensation for treating people without health coverage and reducing the pressure on insurers to shift these uncompensated care costs onto all who pay for private health insurance premiums. The committee thinks that the conversation about Medicaid expansion is just beginning. An ITL vote on HB 271 allows the dialogue to continue. Vote 13-6.

Rep. Richard Meaney for the Minority of Health, Human Services and Elderly Affairs: This bill is needed to prevent Medicaid expansion in New Hampshire. Medicaid expansion is unaffordable. Medicaid rolls in New Hampshire would swell to include nearly one in every six New Hampshire residents. Even thousands of county and state inmates will be covered under expanded Medicaid, hamstringing current efforts to provide cost-efficient care. Many businesses that now provide private insurance will cease providing such insurance due to expensive federal mandates. The "\$2.5 billion federal dollars between 2014-2019" that would be coming to New Hampshire is a pretense and an expensive one at that. Every federal dollar spent today requires 42 cents of borrowing. "Federal dollars" are taxpayer dollars, many of which come from New Hampshire. New Hampshire residents will pay increased taxes and fees to support expanded Medicaid. The state budget will require at least \$15 million annually from 2014-2019 and subsequently an additional \$50-\$100 million annually to service the Medicaid pretense. If the federal promise to provide 90% of NH's expanded Medicaid costs is fulfilled in a manner similar to the fulfillment of the Special Education promise (feds promised 40%, are delivering 17%), we will see NH's expanded Medicaid costs reach a quarter of a billion dollars per year. In the absence of cost controls and reform, we simply can't put more people into a broken system that doesn't work.

**SPECIAL ORDERED**

Rep. MacKay moved that **HB 271**, stating that New Hampshire will not accept expanded Medicaid, be made a Special Order for the next session day in the Regular Calendar order.

Rep. MacKay spoke in favor.

Adopted.

**REGULAR CALENDAR - Part I (CONT'D)****SPECIAL ORDER**

**HB 452**, relative to Food and Drug Administration approval of medication, equipment, and therapies. **INEXPEDIENT TO LEGISLATE.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill was voted ITL because no sponsors were present at the hearing and no witnesses came to testify. The bill was only nine lines long and addressed the complex topic of facilities licensed by New Hampshire being able to dispense medication and use equipment and therapies which have not been approved by the FDA. While some of the committee was interested in pursuing this topic, the majority of the committee recognized that there was a great deal of work to be done on a bill about which the committee knew very little. Vote 11-6.

Committee report adopted.

**SPECIAL ORDER**

**HB 118**, providing legal immunity for 911 calls for drug or alcohol related emergencies. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Michael J. Sylvia for the Majority of Judiciary: More Granite Staters die from overdoses than traffic accidents each year; this bill would encourage them to seek medical help in the event of a drug or alcohol overdose by providing them with immunity from prosecution. New Hampshire would join 11 other states which have implemented Good Samaritan laws. Immunity would only be for a few enumerated crimes; possession, control, or transportation, but not for any other charges, such as distribution or DWI. Further, it does not prohibit law enforcement from investigating offenses not covered by the immunity. Studies show that people are hesitant to report an overdose event for fear of involving law enforcement. Delays in getting treatment for a person suffering an overdose will cause more harm and may result in death; HB 118 will save lives. Vote 11-7.

Rep. Joseph M. Hagan for the Minority of Judiciary: This bill would contradict present law. It was opposed by the New Hampshire Chiefs of Police Association and the department of corrections. This would give "A Get Out of Jail Free" card to drug dealers.

**Majority Amendment (0392h)**

Amend the title of the bill by replacing it with the following:

AN ACT providing immunity from criminal prosecution for seeking medical assistance with an emergency drug or alcohol overdose event.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Criminal Code; General Principles. Amend RSA 626 by inserting after section 8 the following new section:

626:9 Immunity for Persons who Suffer or Report an Emergency Drug or Alcohol Overdose Event.

I. A person who reports an emergency drug or alcohol overdose event shall be immune from criminal prosecution for an offense described in this section if:

(a) The person reports in good faith an emergency drug or alcohol overdose event to a law enforcement officer, the 911 system, or a medical provider;

(b) The person remains at the scene of the event until a law enforcement officer or an emergency medical responder arrives or the person remains at the facilities of the medical provider until a law enforcement officer arrives;

(c) The person identifies himself or herself to, and cooperates with, the law enforcement officer, emergency medical responder, or medical provider; and

(d) The chargeable offense arises from the same course of events from which the emergency drug or alcohol overdose event arose.

II. The immunity described in paragraph I shall also extend to the person who suffered the emergency drug or alcohol overdose event if the chargeable offense arose from the same course of events from which the emergency drug or alcohol overdose event arose.

III. The immunity described in paragraph I shall apply to the following criminal offenses:

(a) Possession, control, or transportation of a controlled drug, controlled drug analog, or any preparation containing a controlled drug, or possession, control, or transportation of any drug paraphernalia under RSA 318-B:2.

(b) Unlawful possession and intoxication under RSA 179:10.

(c) Prohibited sales of alcohol under RSA 179:5.

IV. Nothing in this section shall prohibit the prosecution of any person for an offense other than an offense listed in paragraph III or to limit the ability of a prosecutor or a law enforcement officer to obtain or use evidence obtained from a report, recording, or any other statement provided pursuant to paragraph I to investigate and prosecute an offense other than an offense listed in paragraph III.

V. In this section, “emergency drug or alcohol overdose event” means an acute condition including, but not limited to, physical illness, coma, mania, hysteria, or death resulting from the consumption or use of a controlled substance, or of alcohol, or another substance with which a controlled substance or alcohol was combined, and that a layperson would reasonably believe to be a drug or alcohol overdose that requires medical assistance.

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill provides immunity from criminal prosecution for any person who in good faith seeks medical assistance with, or experiences, an emergency drug or alcohol overdose event.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Kappler requested a roll call; not sufficiently seconded.

On a division vote, 245 members having voted in the affirmative and 107 in the negative, the majority committee report was adopted and ordered to third reading.

#### SPECIAL ORDER

**HB 409**, relative to the issuance of a default judgment in landlord-tenant actions. **INEXPEDIENT TO LEGISLATE.**

Rep. Paul S. Berch for Judiciary: Current law allows a tenant to ask the court to vacate a default judgment for good cause shown. This bill would require the tenant to pay all rent as due between date of motion to vacate and the decision by the court. The committee felt the bill lacked proper standards, did not define the amount of rent that would need to be paid nor gave the tenant a chance to contest that amount, and did not say to whom and when rent should be paid. The committee felt there were due process problems with this bill. Vote 15-4.

On a division vote, 240 members having voted in the affirmative and 110 in the negative, the committee report was adopted.

#### SPECIAL ORDER

**HB 483-FN**, relative to information regarding abortion. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Sylvia E. Gale for the Majority of Judiciary: This bill would require that all pregnant women seeking abortion care services be informed at least 24 hours prior to the procedure of certain information regarding that procedure by a treating or referring physician. This requirement would impose ideologically driven obstacles to women seeking this medical service and is both impractical and burdensome and could lead to increased health risks for some patients. No woman facing this most personal and difficult decision has come to the point of seeking to terminate a pregnancy without significant thought, deliberation and discussion with her family, friends and health care professionals. This bill suggests that women do not think carefully about abortion and are unable to make responsible decision without government interference. Any woman considering an abortion, like any patient, should receive full and unbiased information from clinical and medical care providers about the chosen procedure and alternative options. Licensed abortion care service providers are already required, like any other medical and clinical care professionals, to provide patients with full and complete information. This bill is unnecessary and potentially harmful for women seeking legally protected abortion care services in licensed medical practices in New Hampshire. Safe and legal abortion appears to be the only medical procedure in which legislative interference is proposed. Such attempts to impose legislative imperatives between a patient and her professional medical provider are unnecessary and should not be acceptable to this body. Vote 13-6.

Rep. Lenette M. Peterson for the Minority of Judiciary: This is a pro-educational/pro-choice bill. Education is key to make an informed decision. Elective surgery is not performed within a 24-hour notice and there is no reason why an abortion cannot have a 24-hour waiting period. This bill would allow plenty of time to study all options available, before making a life changing decision.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
 Reps. Cormier, Notter, Cebrowski and Birdsell spoke against.  
 Reps. Gale and Peter Sullivan spoke in favor.  
 Rep. Bouchard requested a roll call; sufficiently seconded.

**YEAS 229 NAYS 121****YEAS 229****BELKNAP**

DiMartino, Lisa	Gulick, Ruth	Huot, David	Raymond, Ian
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**CARROLL**

Buco, Thomas	Butler, Edward	Chandler, Gene	Crawford, Karel
Lavender, Tom	McConkey, Mark	Ticehurst, Susan	Umberger, Karen
White, Syndi			

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Hunt, John	Johnsen, Gladys
Lerandeau, Alfred	Ley, Douglas	Mann, John	Parkhurst, Henry
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	Weed, Charles
Young, Harry			

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Moynihan, Wayne
Theberge, Robert	Thomas, Yvonne		

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Gionet, Edmond
Harding, Laurie	Higgins, Patricia	Ladd, Rick Jr	Lauer, Linda
Lovett, Sid	Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Boisvert, Ronald
Booras, Efstathia	Brown, Pamela	Byron, Frank	Campbell, David
Carroll, Douglas	Chandley, Shannon	Connor, Evelyn	DiSilvestro, Linda
Flanagan, Jack	Gage, Ruth	Gale, Sylvia	Garcia, Michael
Gargas, Carolyn	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Graham, John	Hackel, Paul	Hammond, Jill
Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin	Judy, Jean
Katsiantonis, Thomas	Knowles, Mary Ann	Kurk, Neal	Leishman, Peter
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr
McCloskey, David	McNamara, Richard	O'Brien, Michael Sr	O'Flaherty, Tim
Ober, Lynne	Ober, Russell III	Porter, Marjorie	Pratt, Calvin
Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Soucy, Timothy
Spratt, Stephen	Sullivan, Peter	Takesian, Charlene	Vail, Suzanne
Walsh, Robert Jr	Warden, Mark	Williams, Carol	Williams, Kermit
Winters, Joel	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank



Ebel, Karen  
 Gile, Mary  
 Hunt, Jane  
 Lockwood, Priscilla  
 Patten, Dick  
 Richardson, Gary  
 Shurtleff, Stephen  
 Webb, Leigh

Frambach, Mary  
 Henle, Paul  
 Karrick, David Jr  
 MacKay, James  
 Ratzki, Mario  
 Rogers, Katherine  
 Tilton, Joy

Frazer, June  
 Hess, David  
 Kelly, Sally  
 Moffett, Howard  
 Reed, Dennis  
 Schamberg, Thomas  
 Turcotte, Alan

French, Barbara  
 Hirsch, Geoffrey  
 Kidder, David  
 Myler, Mel  
 Rice, Chip  
 Schuett, Dianne  
 Walz, Mary Beth

### ROCKINGHAM

Allen, Mary  
 Briden, Steven  
 Elliott, Robert  
 Helmstetter, Barbara  
 McMahon, Charles  
 Pantelakos, Laura  
 Sweeney, Joe  
 Ward, Gerald

Andrews-Ahearn, E. Elaine  
 Cahill, Michael  
 Emerson-Brown, Rebecca  
 Lovejoy, Patricia  
 Moody, Marcia  
 Scarlotto, Joe  
 Sytek, John  
 Wazlaw, Brian

Belanger, Ronald  
 Copeland, Timothy  
 Flockhart, Eileen  
 Mann, Maureen  
 Muns, Chris  
 Sherman, Thomas  
 Thompson, David  
 Whittemore, Lisa

Borden, David  
 Cushing, Robert Jr  
 Heffron, Frank  
 McKinney, Betsy  
 Nigrello, Robert  
 St.James, Kevin  
 Till, Mary

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Kaen, Naida  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Bickford, David  
 Gardner, Janice  
 Hooper, Dorothea  
 Malloy, Dennis  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Miller, David  
 Schmidt, Peter  
 Stevens, Audrey

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Perry, Robert  
 Smith, Marjorie  
 Verschueren, James

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Sweeney, Cynthia

Gagnon, Raymond  
 Lefebvre, Benjamin  
 Tanner, Linda

Gottling, Suzanne  
 O'Hearne, Andrew

Grenier, James  
 Schmidt, Andrew

### NAYS 121

### BELKNAP

Burchell, Richard  
 Fink, Charles  
 Tilton, Franklin

Comtois, Guy  
 Flanders, Donald  
 Vadney, Herbert

Cormier, Jane  
 Greemore, Robert Jr  
 Worsman, Colette

Fields, Dennis  
 Holmes, Stephen

### CARROLL

Ahlgren, Christopher

Cordelli, Glenn

Nelson, Bill

Wright, Donald

### CHESHIRE

Butynski, William

Johnson, Jane

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad

Bradley, Lester

Doolan, Ralph Jr

### HILLSBOROUGH

Belanger, James  
 Christiansen, Lars  
 Gagne, Larry  
 Hopper, Gary  
 Lambert, George

Boehm, Ralph  
 Coffey, James  
 Haefner, Robert  
 Infantine, William  
 LeBrun, Donald

Burt, John  
 Daniels, Gary  
 Hansen, Peter  
 Jasper, Shawn  
 LeVasseur, Richard

Cebrowski, John  
 Danielson, David  
 Hinch, Richard  
 Kopka, Angeline  
 Marston, Dick

Martel, Andre  
 Murphy, Kelleigh  
 Palmer, Stephen  
 Renzullo, Andrew  
 Ulery, Jordan

McCarthy, Michael  
 Nelson, Mary  
 Parison, James  
 Straight, Philip  
 Vaillancourt, Steve

Meaney, Richard  
 Notter, Jeanine  
 Pellegrino, Tony  
 Stroud, Kathleen  
 Villeneuve, Moe

Murphy, Keith  
 O'Brien, William  
 Peterson, Lenette  
 Sweeney, Shawn  
 Willette, Robert

### MERRIMACK

Hoell, J.R.  
 Smith, Todd

Kotowski, Frank

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
 Charron, Gene  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Griffin, Mary  
 Hodgdon, Bruce  
 Khan, Aboul  
 O'Connor, John  
 Perkins, Lawrence  
 Schroadter, Adam  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Chirichiello, Brian  
 Devine, James  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Hagan, Joseph  
 Hoelzel, Kathleen  
 Lundgren, David  
 Packard, Sherman  
 Rice, Frederick  
 Sedensky, John  
 Weyler, Kenneth

Bick, Patrick  
 Comerford, Timothy  
 Duarte, Joe  
 Fesh, Robert  
 Gordon, Richard  
 Harris, Jeffrey  
 Itse, Daniel  
 Major, Norman  
 Peckham, Michele  
 Sanders, Elisabeth  
 Tremblay, Stella

Birdsell, Regina  
 Danais, Romeo  
 Dumaine, Dudley  
 Friel, William  
 Grace, Curtis  
 Hayes, Jack  
 Kappler, Lawrence  
 Milz, David  
 Perkins, Amy  
 Sapareto, Frank  
 Tucker, Pamela

### STRAFFORD

Berube, Roger  
 Parsons, Robbie

Gray, James  
 Pitre, Joseph

Groen, Warren

Jones, Laura

### SULLIVAN

Smith, Steven

and the majority committee report was adopted.

### SPECIAL ORDER

**HB 583**, relative to proceedings of medical injury claims screening panels. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary S. Hopper for the Majority of Judiciary: Screening panels were instituted as a means to sift through medical malpractice law suits in an effort to reduce the time and expense of medical malpractice suits. Over time they have become mini-trials which include the expense of expert witnesses who may cost thousands of dollars. This bill, as amended, allows written offers of proof as evidence rather than live expert witnesses. This will help to return these panels to their original intent and reduce their costs. Vote 12-6.

Rep. Robert H. Rowe for the Minority of Judiciary: This law was passed over a decade ago in an attempt to reduce or moderate the increase of the high medical malpractice insurance costs that medical practitioners are paying. The law established a law suit screening panel --- a doctor, retired judge and lawyer to screen suits. Before a suit can go to the jury the parties must present the liability issue before the panel. This bill modifies the screening panel procedure. The minority believe that it is untimely to make any changes because the entire law is to be formally evaluated this year and a final report submitted on or before December 1, 2013. The responsible action to take is to wait for the final report.

### Majority Amendment (0458h)

Amend the bill by replacing section 7 with the following:

7 Effective Date. This act shall take effect 60 days after its passage.  
 Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, 201 members having voted in the affirmative and 153 in the negative, the majority committee report was adopted and ordered to third reading.

Rep. Gary Richardson declared a conflict of interest and did not participate.

**SPECIAL ORDER**

**HB 596-FN-L**, relative to service of notice of civil actions. **INEXPEDIENT TO LEGISLATE.**  
Rep. Lenette M. Peterson for Judiciary: The committee believes that this bill is trying to fix a problem that does not exist. By having a sheriff deliver the notice, there is no delay in the tenant receiving the notice. Landlords can be fined each day that the notice is not delivered. Vote 14-1. Committee report adopted.

**SPECIAL ORDER**

**HJR 1**, directing the joint legislative historical committee to acquire and display a portrait of suffragist Marilla Marks Ricker. **OUGHT TO PASS.**

Rep. Marsha L. Pelletier for Legislative Administration: It is our honor to offer the name of Marilla Marks Ricker as an early suffragist who, in 1871, cast the first vote as a woman in United States, in the city of Dover New Hampshire. A portrait will be acquired to be displayed and the cost will be defrayed by the joint historical committee and league of women voters. Vote 9-0.

**SPECIAL ORDERED**

Rep. Gary Richardson moved that **HJR 1**, directing the joint legislative historical committee to acquire and display a portrait of suffragist Marilla Marks Ricker, be Special Ordered to the end of today's Regular Calendar – Part I.

Adopted.

**REGULAR CALENDAR - PART I (CONT'D)****SPECIAL ORDER**

**HB 362**, banning corn-based ethanol as an additive to gasoline sold in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert A. Backus for Science, Technology and Energy: All members of the committee expressly endorsed the goal of moving New Hampshire away from using corn based ethanol as a component of gasoline in New Hampshire and agreed that using a food crop for transportation fuel is not good public policy. The majority further believes that, as amended, the bill contains sufficient protection against the possibility that New Hampshire, standing alone in this position, might require its own "boutique" gasoline and lack sufficient market power to cause suppliers to offer gasoline which does not include corn-based ethanol at a reasonable price. Ample assurance against this concern is provided by the amendment which conditions any New Hampshire ban on three other New England states (or four out of the six states) joining in the ban or by the air pollution advisory committee certifying the ready availability of a non corn based ethanol gasoline blend in New Hampshire at a reasonable price. Vote 11-6.

**Amendment (0350h)**

Amend the bill by replacing all after section 2 with the following:

3 Contingency. Sections 1 and 2 of this act shall take effect upon the date certified to the secretary of state and the office of legislative services of either of the following:

I. The air pollution advisory committee, established by RSA 125-J:11, determines, in consultation with the department of environmental services, that at least 3 other New England states in addition to New Hampshire have statutorily banned corn-based ethanol as an additive to gasoline; or

II. The air pollution advisory committee determines that a fuel that can be used by a regulated entity to meet their compliance obligation pursuant to the federal Renewable Fuels Standard for either advanced biofuel, as defined in the Clean Air Act, 42 U.S.C. 7545(o)(1)(B) or cellulosic biofuel as defined in the Clean Air Act, 42 U.S.C. 7545 (o)(1)(E) is readily available and in sufficient quantities to replace corn-based ethanol in New Hampshire's gasoline supply such that it will not have a significant impact on the price or supply, or both, of gasoline delivered for use in New Hampshire.

4 Report Required. The department of environmental services shall report to the governor, the speaker of the house, the president of the senate, the science, technology and energy committee, and the air pollution advisory committee no later than September 1 annually on the consideration or adoption, or both, of corn-based ethanol bans in other New England states. The report shall also summarize information available to the department on the potential availability and market for advanced and cellulosic biofuel that could serve as a replacement to corn-based ethanol in New Hampshire's gasoline supply.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect as provided in section 3 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

Amendment adopted.

Committee report adopted and ordered to third reading.

### **SPECIAL ORDER**

**HR 7**, urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Alfred P. Baldasaro for the Majority of State-Federal Relations and Veterans Affairs: The majority believes that HR 7 should have been presented as an HCR, where the Senate would have a say on the subject matter that involves a voice not just by the House. Laws are already on the books dealing with campaign donations and spending. Vote 6-4.

Rep. Linda Massimilla for the Minority of State-Federal Relations and Veterans Affairs: The purpose of the legislation is to address the supreme court's decision with the 2009 citizens united ruling which allows for the disproportionate influence on campaign spending. Corporations and individual citizens are not equal when it comes to free speech, however they may have similar property rights.

### **LAID ON THE TABLE**

Rep. Theberge moved that **HR 7**, urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law, be laid on the table.

Adopted.

### **REGULAR CALENDAR - PART I (CONT'D)**

### **SPECIAL ORDER**

**HB 146**, increasing the speed limit on a portion of I-93 to 70 miles per hour. **OUGHT TO PASS.**

Rep. Brian D. Rhodes for Transportation: This bill raises the speed limit on Interstate 93 from mile marker 45 (Canterbury between exit 17 and 18) north to the Vermont border. This is a rural section of the interstate that has been constructed to support a speed limit of 70 mph. The current speed limit through Franconia Notch will remain the same as its current posted speed. National statistics have not produced an increase in accident rates due to limits being increased by 5 mph. Vote 10-4. Rep. Vaillancourt offered floor amendment (0577h).

### **Floor Amendment (0577h)**

Amend the title of the bill by replacing it with the following:

AN ACT increasing the speed limit on a portion of I-93 and a portion of I-89 to 70 miles per hour.

Amend the bill by replacing section 1 with the following:

1 Speed Limits Raised. Amend RSA 265:60, II(e) to read as follows:

(e) 65 miles an hour on the interstate system, the central New Hampshire turnpike and the eastern New Hampshire turnpike in locations where said highways are 4-lane divided highways or other divided highways of 4 or more lanes, *except that the speed limit on the portion of I-93 from mile marker 45 to the Vermont border, and the portion of I-89 from mile marker 5 to mile marker 55, shall be 70 miles per hour.*

### **AMENDED ANALYSIS**

This bill increases the speed limit on a portion of I-93 and a portion of I-89 to 70 miles per hour. Rep. Vaillancourt spoke in favor.

Rep. Michael O'Brien spoke against and yielded to questions.

On a division vote, 165 members having voted in the affirmative and 187 in the negative, floor amendment (0577h) failed.

The question now being adoption of the committee report of Ought to Pass.

Rep. Bouchard spoke in favor.

Rep. Bartlett spoke against, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 292 NAYS 65****YEAS 292****BELKNAP**

Burchell, Richard  
Fink, Charles  
Huot, David

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
Cordelli, Glenn  
White, Syndi

Buco, Thomas  
Lavender, Tom  
Wright, Donald

Butler, Edward  
McConkey, Mark

Chandler, Gene  
Umberger, Karen

**CHESHIRE**

Berch, Paul  
Emerson, Susan  
Lerandeau, Alfred  
Tatro, Bruce

Burridge, Delmar  
Hunt, John  
Ley, Douglas  
Weber, Lucy

Chase, Cynthia  
Johnsen, Gladys  
Robertson, Timothy  
Weed, Charles

Eaton, Daniel  
Johnson, Jane  
Sad, Tara

**COOS**

Coulombe, Gary  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

Rappaport, Laurence

Richardson, Herbert

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Harding, Laurie  
Mulholland, Catherine  
Shackett, Jeffrey

Almy, Susan  
Ford, Susan  
Ladd, Rick Jr  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Bradley, Lester  
Gionet, Edmond  
Lovett, Sid  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Campbell, David  
Coffey, James  
DiSilvestro, Linda  
Gale, Sylvia  
Goley, Jeffrey  
Haefner, Robert  
Hinch, Richard  
Jasper, Shawn  
Kopka, Angeline  
LeVasseur, Richard  
Marston, Dick  
McNamara, Richard  
Nelson, Mary  
O'Flaherty, Tim  
Parison, James  
Pratt, Calvin  
Rokas, Ted  
Schmidt, Janice  
Soucy, Timothy  
Sullivan, Peter  
Vail, Suzanne  
Warden, Mark

Barry, Richard  
Booras, Efstathia  
Cebrowski, John  
Culbert, Patrick  
Flanagan, Jack  
Garcia, Michael  
Gorman, Mary  
Hammond, Jill  
Hopper, Gary  
Judy, Jean  
Kurk, Neal  
Levesque, Melanie  
Martel, Andre  
Meaney, Richard  
Notter, Jeanine  
Ober, Lynne  
Pellegrino, Tony  
Ramsey, Peter  
Rosenwald, Cindy  
Shattuck, Gilman  
Spratt, Stephen  
Sweeney, Shawn  
Vaillancourt, Steve  
Willette, Robert

Beaulieu, Jane  
Burt, John  
Chandley, Shannon  
Daniels, Gary  
Gage, Ruth  
Gargas, Carolyn  
Graham, John  
Hansen, Peter  
Infantine, William  
Katsiantonis, Thomas  
LeBrun, Donald  
Long, Patrick  
McCarthy, Michael  
Murphy, Keith  
O'Brien, Michael Sr  
Ober, Russell III  
Peterson, Lenette  
Renzullo, Andrew  
Sanborn, Laurie  
Shaw, Barbara  
Straight, Philip  
Takesian, Charlene  
Villeneuve, Moe  
Williams, Kermit

Belanger, James  
Byron, Frank  
Christiansen, Lars  
Danielson, David  
Gagne, Larry  
Gidge, Kenneth  
Hackel, Paul  
Harriott-Gathright, Linda  
Jack, Martin  
Knowles, Mary Ann  
Leishman, Peter  
MacKay, Mariellen  
McCloskey, David  
Murphy, Kelleigh  
O'Brien, William  
Palmer, Stephen  
Porter, Marjorie  
Rhodes, Brian  
Sandblade, Emily  
Smith, Timothy  
Stroud, Kathleen  
Ulery, Jordan  
Walsh, Robert Jr  
Winters, Joel

**MERRIMACK**

Andrews, Christopher  
Ebel, Karen

Bouchard, Candace  
Frambach, Mary

Burns, Scott  
Gile, Mary

Carson, Clyde  
Hess, David

Hoell, J.R.  
MacKay, James  
Myler, Mel  
Rice, Chip  
Smith, Todd

Hunt, Jane  
McGuire, Carol  
Patten, Dick  
Richardson, Gary  
Tilton, Joy

Kidder, David  
McGuire, Dan  
Ratzki, Mario  
Schuett, Dianne  
Turcotte, Alan

Kotowski, Frank  
Moffett, Howard  
Reed, Dennis  
Shurtleff, Stephen  
Walsh, Thomas IV

### ROCKINGHAM

Abrami, Patrick  
Belanger, Ronald  
Cahill, Michael  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Grace, Curtis  
Heffron, Frank  
Itse, Daniel  
Major, Norman  
Milz, David  
O'Connor, John  
Perkins, Lawrence  
Scarlotto, Joe  
St.James, Kevin  
Tremblay, Stella  
Weyler, Kenneth

Allen, Mary  
Bick, Patrick  
Cali-Pitts, Jacqueline  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Bianca  
Hagan, Joseph  
Helmstetter, Barbara  
Khan, Aboul  
Mann, Maureen  
Moody, Marcia  
Packard, Sherman  
Rice, Frederick  
Schroadter, Adam  
Sweeney, Joe  
Tucker, Pamela  
Whittemore, Lisa

Andrews-Ahearn, E. Elaine  
Birdsell, Regina  
Charron, Gene  
Cushing, Robert Jr  
Dumaine, Dudley  
Fesh, Robert  
Garcia, Marilinda  
Harris, Jeffrey  
Hodgdon, Bruce  
Lovejoy, Patricia  
McKinney, Betsy  
Muns, Chris  
Pantelakos, Laura  
Sanders, Elisabeth  
Sedensky, John  
Sytek, John  
Ward, Gerald

Baldasaro, Alfred  
Briden, Steven  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Flockhart, Eileen  
Gordon, Richard  
Hayes, Jack  
Hoelzel, Kathleen  
Lundgren, David  
McMahon, Charles  
Nigrello, Robert  
Peckham, Michele  
Sapareto, Frank  
Sherman, Thomas  
Thompson, David  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Burke, Rachel  
Gray, James  
Jones, Laura  
Pitre, Joseph  
Spainhower, Dale  
Wall, Janet

Berube, Roger  
Gardner, Janice  
Groen, Warren  
Kaen, Naida  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Bickford, David  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis  
Rollo, Deanna  
Stevens, Audrey

Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Parsons, Robbie  
Smith, Marjorie  
Verschuieren, James

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
Tanner, Linda

Gagnon, Raymond  
Rollins, Skip

Grenier, James  
Schmidt, Andrew

Lefebvre, Benjamin  
Smith, Steven

### NAYS 65

### BELKNAP

DiMartino, Lisa

Gulick, Ruth

Raymond, Ian

Vadney, Herbert

### CARROLL

Crawford, Karel

Nelson, Bill

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Roberts, Kris

Butynski, William  
Shepardson, Marjorie

Mann, John  
Young, Harry

Parkhurst, Henry

### COOS

Enman, Larry

Hammon, Marcia

Thomas, Yvonne

### GRAFTON

Bailey, Brad  
Massimilla, Linda

Brown, Rebecca  
Townsend, Charles

Doolan, Ralph Jr

Higgins, Patricia

**HILLSBOROUGH**

Boisvert, Ronald  
Grady, Brenda  
Williams, Carol

Brown, Pamela  
Hansberry, Daniel  
Woodbury, David

Carroll, Douglas  
Heden, Ruth

Connor, Evelyn  
Manley, Jonathan Sr

**MERRIMACK**

Alicea, Caroletta  
Frazer, June  
Karrick, David Jr  
Schamberg, Thomas

Bartlett, Christy  
French, Barbara  
Kelly, Sally  
Walz, Mary Beth

Carey, Lorrie  
Henle, Paul  
Lockwood, Priscilla  
Webb, Leigh

Davis, Frank  
Hirsch, Geoffrey  
Rogers, Katherine

**ROCKINGHAM**

Borden, David  
Kappler, Lawrence

Danais, Romeo  
Perkins, Amy

Emerson-Brown, Rebecca  
Till, Mary

Griffin, Mary  
Wazlaw, Brian

**STRAFFORD**

Baber, William  
Miller, David

Bixby, Peter  
Perry, Robert

Grossman, Kenneth  
Schmidt, Peter

Hubbard, Pamela

**SULLIVAN**

Gottling, Suzanne

Irwin, Virginia

and the committee report was adopted and ordered to third reading.

**SPECIAL ORDER**

**HB 242**, relative to child passenger restraint requirements. **OUGHT TO PASS WITH AMENDMENT.** Rep. Elizabeth B. Burtis for Transportation: This bill, as amended, brings the New Hampshire child restraint law closer to the nationally accepted best practice for child safety and changes the height restriction for requiring a child restraint device to 56" and changes the age restriction to six years of age increasing the existing law the age by one year and the height one inch. Medical and safety experts advocated for the passage of this bill. The majority of the committee felt the safety of New Hampshire's children to be the most important consideration when voting on this bill. Vote 12-3.

**Amendment (0454h)**

Amend the bill by replacing section 1 with the following:

1 Rules of the Road; Child Restraint System. Amend RSA 265:107-a, I-b to read as follows:

I-b. No person shall drive a motor vehicle on any way while carrying as a passenger a person less than [6] 7 years of age unless such passenger is properly fastened and secured by a child restraint system which is in accordance with the safety standards approved by the United States Department of Transportation in 49 C.F.R. section 571.213. If the passenger is [55] 56 inches or more in height, the provisions of this paragraph shall not apply.

**AMENDED ANALYSIS**

This bill increases the height exception to the child restraint system requirement for motor vehicle operation and adds 6-year-old children to the requirement.

**SPECIAL ORDERED**

Rep. Bouchard moved that **HB 242**, relative to child passenger restraint requirements, be made a Special Order for the next session day in the Regular Calendar order.

Rep. Bouchard spoke in favor.  
Adopted.

**REGULAR CALENDAR - PART I (CONT'D)****SPECIAL ORDER**

**HB 289-FN**, increasing certain speed limits to 70 miles per hour. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael B. O'Brien for the Majority of Transportation: This bill, if passed, would have allowed 70 mph on the interstate system and 65 mph on the central turnpike system. The majority of the committee feels that this increase would press the safety design of the roads to a higher limit,

decreasing safe vehicular traffic. Thus, with road safety in mind, the committee recommends keeping the current speed limits. The committee has agreed in HB 146 to allow the increase in speed in a limited capacity and will continue to monitor its progress. Vote 14-1.

Rep. Tim O'Flaherty for the Minority of Transportation: The outdated low speed limit of 65 mph does little to reduce automobile accidents since most occur due to a differential in speed between vehicles. This bill increases the minimum speed limit to 50 mph to reduce a differential in speed. The department of safety testified it supported increasing the minimum speed limit.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Michael O'Brien spoke in favor.

Rep. Vaillancourt spoke against, yielded to questions and requested a roll call; sufficiently seconded.

## YEAS 206 NAYS 148

### YEAS 206

#### BELKNAP

DiMartino, Lisa  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

Gulick, Ruth

Huot, David

#### CARROLL

Ahlgren, Christopher  
Crawford, Karel  
Ticehurst, Susan

Buco, Thomas  
Lavender, Tom  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
White, Syndi

Cordelli, Glenn  
Nelson, Bill

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Roberts, Kris  
Weber, Lucy

Burridge, Delmar  
Johnson, Jane  
Sad, Tara  
Weed, Charles

Butynski, William  
Lerandeau, Alfred  
Shepardson, Marjorie  
Young, Harry

#### COOS

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

#### GRAFTON

Aguiar, James  
Doolan, Ralph Jr  
Lauer, Linda  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Sykes, George

Bailey, Brad  
Harding, Laurie  
Massimilla, Linda  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

#### HILLSBOROUGH

Backus, Robert  
Byron, Frank  
Connor, Evelyn  
Gargas, Carolyn  
Hammond, Jill  
Hinch, Richard  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Pellegrino, Tony  
Rosenwald, Cindy  
Straight, Philip  
Vail, Suzanne  
Woodbury, David

Beaulieu, Jane  
Campbell, David  
Flanagan, Jack  
Goley, Jeffrey  
Hansberry, Daniel  
Infantino, William  
Kopka, Angeline  
MacKay, Mariellen  
Nelson, Mary  
Porter, Marjorie  
Shattuck, Gilman  
Stroud, Kathleen  
Walsh, Robert Jr

Boisvert, Ronald  
Cebrowski, John  
Gage, Ruth  
Grady, Brenda  
Harriott-Gathright, Linda  
Jack, Martin  
LeVasseur, Richard  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Soucy, Timothy  
Sullivan, Peter  
Williams, Carol

Brown, Pamela  
Chandley, Shannon  
Gale, Sylvia  
Haefner, Robert  
Heden, Ruth  
Jasper, Shawn  
Levesque, Melanie  
McCloskey, David  
O'Brien, William  
Rhodes, Brian  
Spratt, Stephen  
Takesian, Charlene  
Williams, Kermit

#### MERRIMACK

Alicea, Caroletta  
Burns, Scott

Andrews, Christopher  
Carey, Lorrie

Bartlett, Christy  
Carson, Clyde

Bouchard, Candace  
Davis, Frank



Frambach, Mary  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Ratzki, Mario  
Schuett, Dianne  
Walsh, Thomas IV

Frazer, June  
Hunt, Jane  
MacKay, James  
Reed, Dennis  
Shurtleff, Stephen  
Walz, Mary Beth

French, Barbara  
Kelly, Sally  
Moffett, Howard  
Richardson, Gary  
Tilton, Joy  
Webb, Leigh

Gile, Mary  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Turcotte, Alan

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Copeland, Timothy  
Flockhart, Eileen  
Helmstetter, Barbara  
Major, Norman  
Nigrello, Robert  
Sanders, Elisabeth  
Till, Mary

Allen, Mary  
Cahill, Michael  
Cushing, Robert Jr  
Griffin, Mary  
Hodgdon, Bruce  
Mann, Maureen  
Packard, Sherman  
Sherman, Thomas  
Weyler, Kenneth

Andrews-Ahearn, E. Elaine  
Charron, Gene  
DeSimone, Debra  
Hayes, Jack  
Kappler, Lawrence  
Moody, Marcia  
Pantelakos, Laura  
Sytek, John  
Whitemore, Lisa

Bick, Patrick  
Chirichiello, Brian  
Emerson-Brown, Rebecca  
Heffron, Frank  
Khan, Aboul  
Muns, Chris  
Perkins, Amy  
Thompson, David

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Kaen, Naida  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Grossman, Kenneth  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

Irwin, Virginia

### NAYS 148

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Vadney, Herbert

Comtois, Guy  
Greemore, Robert Jr  
Worsman, Colette

Cormier, Jane  
Holmes, Stephen

Fields, Dennis  
Sylvia, Michael

### CARROLL

Wright, Donald

### CHESHIRE

Eaton, Daniel  
Parkhurst, Henry

Emerson, Susan  
Robertson, Timothy

Hunt, John

Ley, Douglas

### COOS

Rappaport, Laurence

Rideout, Leon

Theberge, Robert

### GRAFTON

Benn, Bernard  
Gionet, Edmond  
Pastor, Beatriz

Bradley, Lester  
Ladd, Rick Jr  
Shackett, Jeffrey

Brown, Rebecca  
Mulholland, Catherine

Friedrich, Carol  
Nordgren, Sharon

### HILLSBOROUGH

Barry, Richard  
Burt, John  
Culbert, Patrick  
Gagne, Larry  
Graham, John

Belanger, James  
Carroll, Douglas  
Daniels, Gary  
Garcia, Michael  
Hackel, Paul

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gidge, Kenneth  
Hansen, Peter

Booras, Efstathia  
Coffey, James  
DiSilvestro, Linda  
Gorman, Mary  
Hopper, Gary

Judy, Jean  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Palmer, Stephen  
Renzullo, Andrew  
Schmidt, Janice  
Ulery, Jordan  
Willette, Robert

Katsiantonis, Thomas  
Leishman, Peter  
Meaney, Richard  
O'Flaherty, Tim  
Parison, James  
Rokas, Ted  
Shaw, Barbara  
Vaillancourt, Steve  
Winters, Joel

Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Smith, Timothy  
Villeneuve, Moe

Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Sweeney, Shawn  
Warden, Mark

### MERRIMACK

Ebel, Karen  
McGuire, Carol  
Schamberg, Thomas

Hoell, J.R.  
McGuire, Dan

Karrick, David Jr  
Patten, Dick

Kidder, David  
Rice, Chip

### ROCKINGHAM

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Lundgren, David  
O'Connor, John  
Sapareto, Frank  
St.James, Kevin  
Ward, Gerald

Belanger, Ronald  
Comerford, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Hoelzel, Kathleen  
McKinney, Betsy  
Peckham, Michele  
Scarlottio, Joe  
Sweeney, Joe  
Waterhouse, Kevin

Birdsell, Regina  
Danais, Romeo  
Elliott, Robert  
Friel, William  
Grace, Curtis  
Itse, Daniel  
McMahon, Charles  
Perkins, Lawrence  
Schroadter, Adam  
Tremblay, Stella  
Wazlaw, Brian

Briden, Steven  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Lovejoy, Patricia  
Milz, David  
Rice, Frederick  
Sedensky, John  
Tucker, Pamela

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Malloy, Dennis

Groen, Warren  
Parsons, Robbie

Horrigan, Timothy  
Pitre, Joseph

### SULLIVAN

Gagnon, Raymond  
and the majority committee report was adopted.

Rollins, Skip

Smith, Steven

Tanner, Linda

Rep. Wazlaw voted Nay and intended to vote Yea.

### SPECIAL ORDER

**HB 291-FN**, increasing certain speed limits to 75 miles per hour. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Michael B. O'Brien for the Majority of Transportation: This bill, if passed, would allow 75 mph on the interstate system and 65 mph on the central turnpike system. It also would have allowed portions of the highway system four lanes or more a speed of 60 mph up from 55 mph. The majority of the committee feels that the increase would have taxed the safe engineered limits of the roads and recommends keeping the current speed limits. The committee has agreed in HB 146 to allow the increase in speed in a limited capacity and will continue to monitor its progress. Vote 14-1.

Rep. Tim O'Flaherty for the Minority of Transportation: The current speed limit of 65 mph is too low and arbitrarily enforced. The law should be in accord with actual practice and is undermined when it promulgates widely unenforceable edicts and when they are enforced or done arbitrarily.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Burt requested a roll call; sufficiently seconded.

### YEAS 252 NAYS 100

### YEAS 252 BELKNAP

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

Gulick, Ruth  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Crawford, Karel  
Ticehurst, Susan

Buco, Thomas  
Lavender, Tom  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
White, Syndi

Cordelli, Glenn  
Nelson, Bill

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Tatro, Bruce

Burridge, Delmar  
Lerandeau, Alfred  
Roberts, Kris  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Sad, Tara  
Weed, Charles

**COOS**

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Bailey, Brad  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Smith, Suzanne

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Booras, Efsthathia  
Carroll, Douglas  
Coffey, James  
Gage, Ruth  
Grady, Brenda  
Hansberry, Daniel  
Hopper, Gary  
Judy, Jean  
Levesque, Melanie  
Martel, Andre  
O'Brien, Michael Sr  
Ramsey, Peter  
Shattuck, Gilman  
Stroud, Kathleen  
Williams, Carol

Barry, Richard  
Brown, Pamela  
Cebrowski, John  
Connor, Evelyn  
Gagne, Larry  
Hackel, Paul  
Harriott-Gathright, Linda  
Infantine, William  
Knowles, Mary Ann  
Long, Patrick  
McCloskey, David  
Palmer, Stephen  
Rhodes, Brian  
Soucy, Timothy  
Sullivan, Peter  
Williams, Kermit

Beaulieu, Jane  
Byron, Frank  
Chandlee, Shannon  
Daniels, Gary  
Gargas, Carolyn  
Haefner, Robert  
Heden, Ruth  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
Pellegrino, Tony  
Rosenwald, Cindy  
Spratt, Stephen  
Takesian, Charlene  
Woodbury, David

Boisvert, Ronald  
Campbell, David  
Christiansen, Lars  
Flanagan, Jack  
Goley, Jeffrey  
Hammond, Jill  
Hinch, Richard  
Jasper, Shawn  
LeVasseur, Richard  
Manley, Jonathan Sr  
Nelson, Mary  
Porter, Marjorie  
Schmidt, Janice  
Straight, Philip  
Vail, Suzanne

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hess, David  
Kelly, Sally  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Reed, Dennis  
Schuett, Dianne  
Walsh, Thomas IV

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick

Allen, Mary  
Birdsell, Regina

Andrews-Ahearn, E. Elaine  
Borden, David

Belanger, Ronald  
Briden, Steven

Cahill, Michael  
 Copeland, Timothy  
 Devine, James  
 Fesh, Robert  
 Griffin, Mary  
 Hodgdon, Bruce  
 Major, Norman  
 Nigrello, Robert  
 Perkins, Amy  
 Sweeney, Joe  
 Ward, Gerald

Cali-Pitts, Jacqueline  
 Cushing, Robert Jr  
 Elliott, Robert  
 Flockhart, Eileen  
 Hayes, Jack  
 Kappler, Lawrence  
 Mann, Maureen  
 Packard, Sherman  
 Sanders, Elisabeth  
 Sytek, John  
 Wazlaw, Brian

Charron, Gene  
 Danais, Romeo  
 Emerson-Brown, Rebecca  
 Garcia, Bianca  
 Heffron, Frank  
 Khan, Aboul  
 Moody, Marcia  
 Pantelakos, Laura  
 Sedensky, John  
 Thompson, David  
 Weyler, Kenneth

Chirichiello, Brian  
 DeSimone, Debra  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Helmstetter, Barbara  
 Lovejoy, Patricia  
 Muns, Chris  
 Peckham, Michele  
 Sherman, Thomas  
 Till, Mary  
 Whittemore, Lisa

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Gray, James  
 Kaen, Naida  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Berube, Roger  
 Gardner, Janice  
 Grossman, Kenneth  
 Malloy, Dennis  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

Bixby, Peter  
 Ginsburg, Philip  
 Hooper, Dorothea  
 Miller, David  
 Schmidt, Peter  
 Stevens, Audrey

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Perry, Robert  
 Smith, Marjorie  
 Verschueren, James

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Schmidt, Andrew

Gagnon, Raymond  
 Lefebvre, Benjamin  
 Tanner, Linda

Gottling, Suzanne  
 O'Hearne, Andrew

Grenier, James  
 Rollins, Skip

### NAYS 100

### BELKNAP

Burchell, Richard  
 Greemore, Robert Jr

Comtois, Guy  
 Holmes, Stephen

Cormier, Jane  
 Sylvia, Michael

Fink, Charles  
 Worsman, Colette

### CARROLL

Wright, Donald

### CHESHIRE

Eaton, Daniel

Emerson, Susan

Hunt, John

Robertson, Timothy

### COOS

Rappaport, Laurence

Rideout, Leon

Theberge, Robert

### GRAFTON

Gionet, Edmond

Ladd, Rick Jr

Mulholland, Catherine

Shackett, Jeffrey

### HILLSBOROUGH

Belanger, James  
 Danielson, David  
 Gorman, Mary  
 Katsiantonis, Thomas  
 Marston, Dick  
 Murphy, Kelleigh  
 Ober, Lynne  
 Pratt, Calvin  
 Sandblade, Emily  
 Ulery, Jordan  
 Willette, Robert

Boehm, Ralph  
 DiSilvestro, Linda  
 Graham, John  
 Kurk, Neal  
 McCarthy, Michael  
 Notter, Jeanine  
 Ober, Russell III  
 Renzullo, Andrew  
 Shaw, Barbara  
 Vaillancourt, Steve  
 Winters, Joel

Burt, John  
 Garcia, Michael  
 Hansen, Peter  
 Lambert, George  
 Meaney, Richard  
 O'Brien, William  
 Parison, James  
 Rokas, Ted  
 Smith, Timothy  
 Villeneuve, Moe

Culbert, Patrick  
 Gidge, Kenneth  
 Hikel, John  
 LeBrun, Donald  
 Murphy, Keith  
 O'Flaherty, Tim  
 Peterson, Lenette  
 Sanborn, Laurie  
 Sweeney, Shawn  
 Walsh, Robert Jr

### MERRIMACK

Hoell, J.R.

McGuire, Carol

McGuire, Dan

Rice, Chip

**ROCKINGHAM**

Baldasaro, Alfred  
 Emerick, J. Tracy  
 Hagan, Joseph  
 Lundgren, David  
 O'Connor, John  
 Scarlotto, Joe  
 Tucker, Pamela

Cornford, Timothy  
 Friel, William  
 Harris, Jeffrey  
 McKinney, Betsy  
 Perkins, Lawrence  
 Schroader, Adam  
 Waterhouse, Kevin

Duarte, Joe  
 Gordon, Richard  
 Hoelzel, Kathleen  
 McMahon, Charles  
 Rice, Frederick  
 St.James, Kevin

Dumaine, Dudley  
 Grace, Curtis  
 Itse, Daniel  
 Milz, David  
 Sapareto, Frank  
 Tremblay, Stella

**STRAFFORD**

Beaudoin, Steven  
 Jones, Laura

Bickford, David  
 Parsons, Robbie

Groen, Warren  
 Pitre, Joseph

Horrigan, Timothy

**SULLIVAN**

Smith, Steven  
 and the majority committee report was adopted.

**SPECIAL ORDER**

**HB 302**, relative to restrictions on holders of youth operators' licenses. **INEXPEDIENT TO LEGISLATE.**

Rep. Sherman A. Packard for Transportation: A majority of the committee felt that the new restrictions in this bill were too restrictive considering the rural areas of New Hampshire. It restricts the ability to have a passenger during the first six months of driving unless they are family members. Vote 12-3. Committee report adopted.

**SPECIAL ORDERED**

Without objection, the Speaker made **HB 399-FN**, establishing the New Hampshire liberty act, a Special Order as the next order of business.

**SPECIAL ORDER**

**HB 399-FN**, establishing the New Hampshire liberty act. **OUGHT TO PASS WITH AMENDMENT.** Rep. Timothy J. Smith for State-Federal Relations and Veterans Affairs: This bill, as amended, seeks to prevent New Hampshire from cooperation in indefinite detention of persons inside the state. The amendments strengthened the bill, and helped to resolve concerns about the bill's constitutional legality under the supremacy clause. Members felt that the bill, as amended, helps protect people in New Hampshire from indefinite detention, and urges the attorney general to challenge the constitutionality of indefinite detention in federal court should it actually happen. Vote 16-0.

**Amendment (0717h)**

Amend RSA 646-B:1, II as inserted by section 2 of the bill by replacing it with the following:

II. Any person who violates paragraph I shall be prosecuted to the fullest extent of current New Hampshire law related to the applicable crime.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Lawsuit Challenging the National Defense Authorization Act for Fiscal Year 2012. The general court urges the attorney general to initiate or support any lawsuit challenging the constitutionality of the detainment provisions of the National Defense Authorization Act for Fiscal Year 2012.

**AMENDED ANALYSIS**

This bill establishes the New Hampshire liberty act. The bill prohibits the state from supporting or implementing 2 sections of the National Defense Authorization Act for Fiscal Year 2012, pertaining to the authority of the United States armed services to detain persons suspected of terrorism. The bill also urges the New Hampshire attorney general to challenge the constitutionality of the detainment provisions of the federal law.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Theberge spoke in favor.

Rep. Winters requested a roll call; sufficiently seconded.

**YEAS 337 NAYS 15****YEAS 337****BELKNAP**

Burchell, Richard  
Fields, Dennis  
Gulick, Ruth  
Tilton, Franklin

Comtois, Guy  
Fink, Charles  
Holmes, Stephen  
Vadney, Herbert

Cormier, Jane  
Flanders, Donald  
Raymond, Ian  
Worsman, Colette

DiMartino, Lisa  
Greemore, Robert Jr  
Sylvia, Michael

**CARROLL**

Ahlgren, Christopher  
Crawford, Karel  
Ticehurst, Susan

Buco, Thomas  
Lavender, Tom  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
White, Syndi

Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Lerandeau, Alfred  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

Butynski, William  
Hunt, John  
Mann, John  
Sad, Tara  
Young, Harry

Chase, Cynthia  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Enman, Larry  
Rappaport, Laurence  
Thomas, Yvonne

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Smith, Suzanne

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Sykes, George

Bailey, Brad  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Piper, Wendy  
Townsend, Charles

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Shackett, Jeffrey  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Burt, John  
Cebrowski, John  
Connor, Evelyn  
DiSilvestro, Linda  
Garcia, Michael  
Grady, Brenda  
Hammond, Jill  
Heden, Ruth  
Infantine, William  
Katsiantonis, Thomas  
LeBrun, Donald  
Long, Patrick  
Martel, Andre  
Meaney, Richard  
Notter, Jeanine  
Ober, Lynne  
Pellegrino, Tony  
Ramsey, Peter  
Sanborn, Laurie  
Shaw, Barbara

Barry, Richard  
Boisvert, Ronald  
Byron, Frank  
Chandley, Shannon  
Culbert, Patrick  
Flanagan, Jack  
Gargas, Carolyn  
Graham, John  
Hansberry, Daniel  
Hikel, John  
Jack, Martin  
Knowles, Mary Ann  
Leishman, Peter  
MacKay, Mariellen  
McCarthy, Michael  
Murphy, Keith  
O'Brien, Michael Sr  
Ober, Russell III  
Peterson, Lenette  
Renzullo, Andrew  
Sandblade, Emily  
Smith, Timothy

Beaulieu, Jane  
Booras, Efsthathia  
Campbell, David  
Christiansen, Lars  
Daniels, Gary  
Gage, Ruth  
Gidge, Kenneth  
Hackel, Paul  
Hansen, Peter  
Hinch, Richard  
Jasper, Shawn  
Kurk, Neal  
LeVasseur, Richard  
Manley, Jonathan Sr  
McCloskey, David  
Murphy, Kelleigh  
O'Brien, William  
Palmer, Stephen  
Porter, Marjorie  
Rhodes, Brian  
Schmidt, Janice  
Soucy, Timothy

Belanger, James  
Brown, Pamela  
Carroll, Douglas  
Coffey, James  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Haefner, Robert  
Harriott-Gathright, Linda  
Hopper, Gary  
Jeudy, Jean  
Lambert, George  
Levesque, Melanie  
Marston, Dick  
McNamara, Richard  
Nelson, Mary  
O'Flaherty, Tim  
Parison, James  
Pratt, Calvin  
Rokas, Ted  
Shattuck, Gilman  
Spratt, Stephen

Straight, Philip  
Takesian, Charlene  
Villeneuve, Moe  
Williams, Carol

Stroud, Kathleen  
Ulery, Jordan  
Walsh, Robert Jr  
Williams, Kermit

Sullivan, Peter  
Vail, Suzanne  
Warden, Mark  
Winters, Joel

Sweeney, Shawn  
Vaillancourt, Steve  
Willette, Robert  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Frambach, Mary  
Hess, David  
Karrick, David Jr  
Lockwood, Priscilla  
Moffett, Howard  
Schamberg, Thomas  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Kelly, Sally  
MacKay, James  
Patten, Dick  
Tilton, Joy

Bartlett, Christy  
Carson, Clyde  
French, Barbara  
Hoell, J.R.  
Kidder, David  
McGuire, Carol  
Ratzki, Mario  
Walsh, Thomas IV

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
McGuire, Dan  
Rice, Chip  
Walz, Mary Beth

### ROCKINGHAM

Abrami, Patrick  
Belanger, Ronald  
Briden, Steven  
Chirichiello, Brian  
Danais, Romeo  
Dumaine, Dudley  
Ferrante, Beverly  
Garcia, Bianca  
Griffin, Mary  
Heffron, Frank  
Itse, Daniel  
Lundgren, David  
McMahon, Charles  
Nigrello, Robert  
Peckham, Michele  
Sanders, Elisabeth  
Sedensky, John  
Sytek, John  
Tucker, Pamela  
Weyler, Kenneth

Allen, Mary  
Bick, Patrick  
Cahill, Michael  
Comerford, Timothy  
DeSimone, Debra  
Elliott, Robert  
Fesh, Robert  
Garcia, Marilinda  
Hagan, Joseph  
Helmstetter, Barbara  
Kappler, Lawrence  
Major, Norman  
Milz, David  
O'Connor, John  
Perkins, Amy  
Sapareto, Frank  
Sherman, Thomas  
Thompson, David  
Ward, Gerald  
Whittemore, Lisa

Andrews-Ahearn, E. Elaine  
Birdsell, Regina  
Cali-Pitts, Jacqueline  
Copeland, Timothy  
Devine, James  
Emerick, J. Tracy  
Flockhart, Eileen  
Gordon, Richard  
Harris, Jeffrey  
Hodgdon, Bruce  
Khan, Aboul  
Mann, Maureen  
Moody, Marcia  
Packard, Sherman  
Perkins, Lawrence  
Scarlottio, Joe  
St.James, Kevin  
Till, Mary  
Waterhouse, Kevin

Baldasaro, Alfred  
Borden, David  
Charron, Gene  
Cushing, Robert Jr  
Duarte, Joe  
Emerson-Brown, Rebecca  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Hoelzel, Kathleen  
Lovejoy, Patricia  
McKinney, Betsy  
Muns, Chris  
Pantelakos, Laura  
Rice, Frederick  
Schroadter, Adam  
Sweeney, Joe  
Tremblay, Stella  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Bixby, Peter  
Ginsburg, Philip  
Grossman, Kenneth  
Jones, Laura  
Perry, Robert  
Schmidt, Peter  
Stevens, Audrey

Beaudoin, Steven  
Burdwood, Greg  
Grassie, Anne  
Hooper, Dorothea  
Kaen, Naida  
Pitre, Joseph  
Smith, Marjorie  
Verschuereen, James

Berube, Roger  
Burke, Rachel  
Gray, James  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Bickford, David  
Gardner, Janice  
Groen, Warren  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Tanner, Linda

Grenier, James  
Rollins, Skip

### NAYS 15 BELKNAP

Huot, David

**CARROLL**

None

**CHESHIRE**

Berch, Paul

Weber, Lucy

**COOS**

None

**GRAFTON**

Nordgren, Sharon

Pastor, Beatriz

**HILLSBOROUGH**

Goley, Jeffrey

Rosenwald, Cindy

**MERRIMACK**

Davis, Frank

Myler, Mel

Richardson, Gary

Rogers, Katherine

Schuett, Dianne

Shurtleff, Stephen

Turcotte, Alan

**ROCKINGHAM**

None

**STRAFFORD**

Parsons, Robbie

**SULLIVAN**

None

and the committee report was adopted.

**MOTION TO SUSPEND HOUSE RULES**

Rep. Theberge moved that House Rules be so far suspended as to allow *HB 399-FN*, establishing the New Hampshire liberty act, to be referred to the Committee on Criminal Justice and Public Safety as a 2<sup>nd</sup> Committee past the deadline.

Reps. Theberge and Chandler spoke in favor.

Adopted by the necessary two-thirds vote.

The House recessed at 12:20 p.m.

**RECESS**

The House reconvened at 1:20 p.m.

**(Rep. Kaen in the Chair)**

**REGULAR CALENDAR - PART I (CONT'D)****SPECIAL ORDER**

***HB 345*, repealing the prohibition on tinted glass in motor vehicles. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.****

Rep. Michael B. O'Brien for the Majority of Transportation: This bill, if passed, would have increased the allowed amount of after-market window tinting for vehicles. It also would have allowed the sides of the driver and passenger to be tinted as well as the windshield. The majority of the committee felt that the safety of our troopers and law enforcement officers is paramount and increasing after-market tinting would jeopardize their safety. Persons who require for medical reasons after market tinting on a windshield or on the windows to the left and right of the driver may apply to the department of safety for a special permit waiver. Vote 14-1.

Rep. Tim O'Flaherty for the Minority of Transportation: This bill was given an ITL recommendation based on the sentiment that this would affect officer safety despite any evidence to support the notion that tinted windows would endanger anyone. The current prohibition imposes a cost on some vehicle owners who must remove tinting and denies New Hampshire citizens the right to the full enjoyment of their property.



The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Winters spoke against.

Rep. Sapareto spoke against and yielded to questions.

Rep. Michael O'Brien spoke in favor.

On a division vote, 242 members having voted in the affirmative and 102 in the negative, the majority committee report was adopted.

### **SPECIAL ORDER**

**HB 314**, raising limits on single wagers in games of chance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia T. Lovejoy for Ways and Means: This bill, as amended, raises the single wager limit on any game of chance from \$4.00 to \$6.00. The \$6.00 bet limit makes the odds work properly in the table games such as craps. The increased bet limit will increase the payout to charities and is estimated to increase tax revenue to the state by \$608,672. This bill also changes the remitting requirement from every five days – with five checks – to once a month by the 5th day of the following month. This will significantly reduce the recordkeeping of the NH racing and charitable gaming commission and the game operators. Vote 15-2.

#### **Amendment (0311h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Wager Limit. Amend RSA 287-D:3, V to read as follows:

V. No single wager by a player, on any game of chance, shall exceed the amount of [~~\$4~~] **\$6**.

2 Game Operators; Deposit of Funds. Amend RSA 287-D:3, X to read as follows:

X. In games where chips have monetary value, 10 percent of the rake or house winnings and other moneys collected by the game operator that are not paid out as prizes to players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer for deposit into the general fund. Such payments shall be made [~~within 5 business days of the game date on which the funds were collected~~] **once per month not later than the 5<sup>th</sup> day of the month for the funds collected in the previous month.**

3 Effective Date. This act shall take effect 90 days after its passage.

#### **AMENDED ANALYSIS**

This bill raises limits on single wagers in games of chance. The bill also provides for the deposit of funds by the game operators once a month by the 5<sup>th</sup> day of the month.

Amendment adopted.

Rep. Kurk offered floor amendment (0557h).

#### **Floor Amendment (0557h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance.

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 New Paragraph; Charitable Organizations; Gross Revenues Received. Amend RSA 287-D:3 by inserting after paragraph X the following new paragraph:

XI. Notwithstanding any provision of law to the contrary, after deducting the pay out of prizes, the total of any fees, any rent under paragraph VII, and any other charges of any kind permitted under this chapter, the charitable organization shall retain no less than 30 percent of the gross revenues from any game of chance on any game date in which game operators licensed under RSA 287-D:2-c are involved in any capacity.

#### **AMENDED ANALYSIS**

This bill:

I. Raises limits on single wagers in games of chance.

II. Provides for the deposit of funds by the game operators once a month by the 5<sup>th</sup> day of the month.

III. Requires charitable organizations to retain no less than 30 percent of the gross revenues from any game of chance minus any prizes paid on any game date in which game operators are involved.

Rep. Kurk spoke in favor.

Rep. Lovejoy spoke against and yielded to questions.

**(Speaker Norelli in the Chair)**

On a division vote, 213 members having voted in the affirmative and 135 in the negative, floor amendment (0557h) was adopted.

Committee report adopted and ordered to third reading.

**SPECIAL ORDER**

**HB 564-FN**, relative to simulcast greyhound races. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Patricia T. Lovejoy for the Majority of Ways and Means: This bill seeks to prohibit simulcast of any dog races in NH if the race took place in a state that does not require reporting of greyhound injuries. Currently, there are three states that meet this definition – Florida, Alabama and Arizona. There are two facilities in NH that simulcast dog races, the Rockingham and Seabrook Parks. The vast majority of greyhound races that are simulcast from these two parks are races that take place in Florida venues. Just over 40 percent of all simulcast betting at Seabrook Park is on greyhound races. The Park has stated, and informed their employees, that due to the significantly reduced income they would be closing both their simulcast operation and their charitable gaming room if this bill becomes law. This would result in the loss of 150 jobs and in the loss of \$700,000 per year to charities that rely on the Seabrook charitable gaming operation. The Racing and Charitable Gaming Commission estimates the loss to state revenue to be \$190,000, with a potential loss of up to \$900,000 if Seabrook Park closes, in addition to the loss of ancillary revenues, of rooms & meals tax and business profit taxes. This bill is meant to send a message to Florida to encourage them to institute injury reporting. No other state has taken this stand. A bi-partisan majority of the committee supports the motion to ITL this bill. We believe it will costs jobs, reduce funds to charities and that it will have a negligible impact on Florida's lawmakers. Vote 11-7.

Rep. Mary R. Cooney for the Minority of Ways and Means: The minority of the committee feels that this bill supports the New Hampshire policy of humane treatment of animals and greyhound dogs in particular. The legislature banned greyhound dog racing in 2010 because of its inherent lack of humane treatment of the dogs involved in the business of greyhound racing. This bill only bans the simulcast signals from the states which do not have the policy of reporting injury records to the state. There are seven states that still have dog racing tracks, three of whom still have no reporting system in place: Florida, Alabama and Arizona. In states that require the reporting of injuries, the tracks are better maintained, adoption rates are higher and injuries are fewer. The amendment allows up to July 1, 2014 for the two tracks to switch their simulcast contracts from Florida and Alabama to states that do have an injury reporting requirement. The wagering on simulcast races, both harness, thoroughbred and dog racing is over \$76M. The minority feels that New Hampshire should require the tracks that hold these New Hampshire simulcast licenses to comply with the previously stated values of humane treatment of greyhound racing dogs.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Vaillancourt, Mulholland, Cooney and Robertson spoke against.

Reps. Kahn and Elliott spoke in favor.

Rep. Lovejoy spoke in favor and yielded to questions.

Rep. DiSilvestro requested a roll call; sufficiently seconded.

**YEAS 243 NAYS 108****YEAS 243****BELKNAP**

Burchell, Richard  
Flanders, Donald  
Tilton, Franklin

Comtois, Guy  
Greemore, Robert Jr  
Vadney, Herbert

DiMartino, Lisa  
Gulick, Ruth  
Worsman, Colette

Fields, Dennis  
Huot, David

**CARROLL**

Ahlgren, Christopher  
Cordelli, Glenn  
Nelson, Bill

Buco, Thomas  
Crawford, Karel  
Wright, Donald

Butler, Edward  
Lavender, Tom

Chandler, Gene  
McConkey, Mark

**CHESHIRE**

Berch, Paul  
Emerson, Susan  
Lerandeau, Alfred  
Sad, Tara

Butynski, William  
Hunt, John  
Ley, Douglas  
Tatro, Bruce

Chase, Cynthia  
Johnsen, Gladys  
Mann, John  
Weber, Lucy

Eaton, Daniel  
Johnson, Jane  
Roberts, Kris

**COOS**

Coulombe, Gary  
Rideout, Leon

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Rappaport, Laurence

**GRAFTON**

Almy, Susan  
Gionet, Edmond  
Lauer, Linda  
Shackett, Jeffrey

Bailey, Brad  
Harding, Laurie  
Pastor, Beatriz  
White, Andrew

Bradley, Lester  
Higgins, Patricia  
Piper, Wendy

Doolan, Ralph Jr  
Ladd, Rick Jr  
Reilly, Harold Sr

**HILLSBOROUGH**

Barry, Richard  
Boisvert, Ronald  
Campbell, David  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Haefner, Robert  
Hikel, John  
Knowles, Mary Ann  
LeVasseur, Richard  
Marston, Dick  
Meaney, Richard  
Notter, Jeanine  
Ober, Lynne  
Porter, Marjorie  
Rhodes, Brian  
Soucy, Timothy  
Ulery, Jordan  
Williams, Carol

Beaulieu, Jane  
Brown, Pamela  
Cebrowski, John  
Culbert, Patrick  
Flanagan, Jack  
Goley, Jeffrey  
Hammond, Jill  
Hinch, Richard  
Kurk, Neal  
Long, Patrick  
McCarthy, Michael  
Murphy, Keith  
O'Brien, Michael Sr  
Palmer, Stephen  
Pratt, Calvin  
Rokas, Ted  
Straight, Philip  
Villeneuve, Moe  
Winters, Joel

Belanger, James  
Burt, John  
Chandley, Shannon  
Daniels, Gary  
Gage, Ruth  
Grady, Brenda  
Hansberry, Daniel  
Jasper, Shawn  
Lambert, George  
MacKay, Mariellen  
McCloskey, David  
Murphy, Kelleigh  
O'Brien, William  
Parison, James  
Ramsey, Peter  
Sanborn, Laurie  
Stroud, Kathleen  
Warden, Mark

Boehm, Ralph  
Byron, Frank  
Christiansen, Lars  
Danielson, David  
Garcia, Michael  
Graham, John  
Hansen, Peter  
Jeudy, Jean  
LeBrun, Donald  
Manley, Jonathan Sr  
McNamara, Richard  
Nelson, Mary  
O'Flaherty, Tim  
Pellegrino, Tony  
Renzullo, Andrew  
Sandblade, Emily  
Sullivan, Daniel  
Willetto, Robert

**MERRIMACK**

Alicea, Caroletta  
Frambach, Mary  
Kidder, David  
McGuire, Carol  
Ratzki, Mario  
Shurtleff, Stephen  
Walsh, Thomas IV

Andrews, Christopher  
Hess, David  
Kotowski, Frank  
McGuire, Dan  
Reed, Dennis  
Smith, Todd  
Walz, Mary Beth

Bartlett, Christy  
Hoell, J.R.  
Lockwood, Priscilla  
Moffett, Howard  
Schamberg, Thomas  
Tilton, Joy  
Webb, Leigh

Bouchard, Candace  
Hunt, Jane  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Turcotte, Alan

**ROCKINGHAM**

Abrami, Patrick  
Belanger, Ronald  
Charron, Gene  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Hayes, Jack  
Itse, Daniel  
Major, Norman

Allen, Mary  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Griffin, Mary  
Helmstetter, Barbara  
Kappler, Lawrence  
McKinney, Betsy

Andrews-Ahearn, E. Elaine  
Birdsell, Regina  
Copeland, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Hodgdon, Bruce  
Khan, Aboul  
McMahon, Charles

Baldasaro, Alfred  
Borden, David  
Cushing, Robert Jr  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Milz, David

Muns, Chris  
Pantelakos, Laura  
Rice, Frederick  
Sedensky, John  
Tremblay, Stella  
Whittemore, Lisa

Nigrello, Robert  
Peckham, Michele  
Sanders, Elisabeth  
St.James, Kevin  
Tucker, Pamela

O'Connor, John  
Perkins, Amy  
Sapareto, Frank  
Sweeney, Joe  
Waterhouse, Kevin

Packard, Sherman  
Perkins, Lawrence  
Scarlotto, Joe  
Thompson, David  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Ginsburg, Philip  
Grossman, Kenneth  
Pitre, Joseph  
Spainhower, Dale

Berube, Roger  
Grassie, Anne  
Jones, Laura  
Rogers, Rose Marie  
Verschueren, James

Bixby, Peter  
Gray, James  
Kaen, Naida  
Rollo, Deanna  
Wall, Janet

Gardner, Janice  
Groen, Warren  
Malloy, Dennis  
Schmidt, Peter

### SULLIVAN

Cloutier, John  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

Grenier, James

O'Hearne, Andrew

### NAYS 108

### BELKNAP

Fink, Charles

Holmes, Stephen

Raymond, Ian

### CARROLL

Ticehurst, Susan

Umberger, Karen

White, Syndi

### CHESHIRE

Ames, Richard  
Robertson, Timothy

Burridge, Delmar  
Shepardson, Marjorie

Parkhurst, Henry  
Weed, Charles

Phillips, Larry

### COOS

Hatch, William

Moynihan, Wayne

Richardson, Herbert

Theberge, Robert

### GRAFTON

Aguir, James  
Ford, Susan  
Mulholland, Catherine

Benn, Bernard  
Friedrich, Carol  
Smith, Suzanne

Brown, Rebecca  
Lovett, Sid  
Sykes, George

Cooney, Mary  
Massimilla, Linda  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Gagne, Larry  
Hackel, Paul  
Jack, Martin  
Ober, Russell III  
Smith, Timothy  
Takesian, Charlene  
Williams, Kermit

Booras, Efstathia  
Gale, Sylvia  
Harriott-Gathright, Linda  
Katsiantonis, Thomas  
Peterson, Lenette  
Spratt, Stephen  
Vail, Suzanne  
Woodbury, David

Carroll, Douglas  
Gidge, Kenneth  
Heden, Ruth  
Leishman, Peter  
Schmidt, Janice  
Sullivan, Peter  
Vaillancourt, Steve

Coffey, James  
Gorman, Mary  
Infantine, William  
Levesque, Melanie  
Shattuck, Gilman  
Sweeney, Shawn  
Walsh, Robert Jr

### MERRIMACK

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Rice, Chip

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Richardson, Gary

Carson, Clyde  
French, Barbara  
Karrick, David Jr  
Rogers, Katherine

Davis, Frank  
Gile, Mary  
Kelly, Sally

### ROCKINGHAM

Briden, Steven  
Emerson-Brown, Rebecca  
Mann, Maureen  
Till, Mary

Cahill, Michael  
Flockhart, Eileen  
Moody, Marcia  
Ward, Gerald

Cali-Pitts, Jacqueline  
Grace, Curtis  
Sherman, Thomas  
Wazlaw, Brian

Comerford, Timothy  
Heffron, Frank  
Sytek, John

**STRAFFORD**

Baber, William

Hooper, Dorothea

Parsons, Robbie

Spang, Judith

Bickford, David

Horrigan, Timothy

Pelletier, Marsha

Stevens, Audrey

Burdwood, Greg

Hubbard, Pamela

Perry, Robert

Ward, Kenneth

Burke, Rachel

Miller, David

Smith, Marjorie

**SULLIVAN**

Gagnon, Raymond

Irwin, Virginia

Rollins, Skip

Tanner, Linda

and the majority committee report was adopted.

**SPECIAL ORDER**

**HJR 1**, directing the joint legislative historical committee to acquire and display a portrait of suffragist Marilla Marks Ricker. **OUGHT TO PASS.**

Rep. Marsha L. Pelletier for Legislative Administration: It is our honor to offer the name of Marilla Marks Ricker as an early suffragist who, in 1871, cast the first vote as a woman in United States, in the city of Dover New Hampshire. A portrait will be acquired to be displayed and the cost will be defrayed by the joint historical committee and League of Women Voters. Vote 9-0.

Reps. Pelletier and Cushing spoke in favor.

Committee report adopted and ordered to third reading.

**MOTION TO PRINT REMARKS**

Rep. Itse moved that the remarks made by Rep. Pelletier be printed in the Permanent Journal. Adopted.

**REMARKS**

**Rep. Pelletier:** Thank you, Madam Speaker. Members of the House, this bill came through our committee and it was voted 9-0 and we could have put it on Consent, but I thought that we needed to talk about it a little bit before it went through. It is our honor to offer the name of Marilla Marks Ricker as an early suffragist who in 1871 cast the first vote as a woman in the United States and it happened in the City of Dover, New Hampshire. What we are going to try to do is get a portrait that will be displayed and the cost will be defrayed by the Joint Historical Committee and the League of Women Voters. I wanted to say a few words about Marilla Ricker. She was born in New Durham and she graduated from Colby Academy in New London. She was a teacher until she was 23, and I do identify with this lady as a teacher and a representative from Dover. She was teaching until she was 23 and then she got married and the rules were then that if you got married, as a woman, you did not teach. So, she moved with her husband to Dover and I'm sure she took care of the household and supported him and then he died five years into the marriage. Well, he was in real estate and left her property and left her money. Like a good citizen, she went down to the City of Dover to pay her property taxes. She paid those and then she asked to register to vote because it was important that if you have taxes to pay, you want representation. As a matter of fact, we even fought a war over that with England. So, her reasoning was, if laws didn't say a woman could vote, then not necessarily that they couldn't. She voted anyway and they took her ballot out and didn't count the vote. She continued on with her fight for rights every time she went down to pay her taxes each year. She paid under protest because she wasn't allowed to vote. She thought if you were a criminal and the law says "he" does that mean they don't prosecute women and that was not the case. She continued throughout her life speaking out for women's rights. She went and got a law degree. She was the first in Washington D.C., a woman, to receive a law degree. She was the first woman to receive a law degree in New Hampshire. Some of her character traits were that she was frank, generous, open-hearted, guided by persistence; you can see that persistence coming through, the ability to foresee possibilities rather than settle for what is, strength of character, hard work and courage and she changed history to the benefit of New Hampshire citizens and all of the United States. Well, came the year that she was 70 years old, she decided to submit her name on the ballot to be a Governor because it says if you live here for 7 years and you are more than 30, you can. Well, she was more than 30, twice that at least, but anyway, she did submit her name on the Republican side of the ballot, but it was never put on the ballot because it was judged that women still could not vote so therefore she couldn't have her name on the ballot. This continued until the 19<sup>th</sup> Amendment came down and New Hampshire voted for that and the vote through the House at

that time was 212 to 143 and the Senate was 14-10. The 19<sup>th</sup> Amendment, as you know, became part of our Constitution and this happened about two months before she died. So, she did live to see that women had the right to vote and women were citizens just like everyone else. It is with honor that we offer her name and it's especially important because this is the first year we have an all woman U.S. Congressional Delegation. We have a woman Governor. We have a Chief Justice of the Supreme Court that is a woman. We have a woman Speaker of the House. We have a woman Senate Minority Leader. We have a woman State Treasurer and we have many women here in the House as well as those in cities and towns that serve as Selectmen on very many important issues. That is why it is important. Thank you.

## REGULAR CALENDAR - PART II

**SB 1-FN-A**, increasing the research and development tax credit against the business profits tax. **ought to pass with amendment.**

Rep. Susan W. Almy for Ways and Means: The research and development tax credit has been in place now for five years and is doing what it was designed to do: help mostly small businesses improve their products and productivity and grow our economy. New Hampshire cannot afford to compete on tax credits with other states, but our small targeted credit does have an effect. So many companies are applying now that they are getting a quarter of what they qualify for. This increase is to provide a better incentive in that regard. The sunset is also repealed in order to provide long-term certainty. The amendment fixes this repeal and adds text to allow further reporting to the legislature, which has been cleared with the department of resources and economic development. Vote 18-0.

### Amendment (0547h)

Amend the title of the bill by replacing it with the following:

**AN ACT** increasing the research and development tax credit against the business profits tax and relative to the report of the commissioner of resources and economic development on the research and development tax credit.

Amend the bill by replacing all after section 1 with the following:

2 Research and Development Tax Credit Program. Amend RSA 162-P:1 to read as follows:  
162-P:1 Research and Development Tax Credit Program.

I. The commissioner of resources and economic development shall file a report detailing the implementation of the tax credit program under RSA 77-A:5, XIII and the results achieved. The report shall include the following:

- (a) Methods and activities used to implement the tax credit program.
- (b) The number of companies, including venture capital funds, contacted relative to locating research and development activities in the state.
- (c) *Types and sizes of companies using the credit, and the effect on hiring and company growth, to the extent permitted by confidentiality concerns.*
- (d) *Size of the credit relative to the federal credit for typical companies.*
- (e) Other information as deemed relevant.

II. This report shall be filed with the president of the senate, the speaker of the house of representatives, *the chairmen of the house and senate ways and means committees*, and the governor on or before July 31 of each year, beginning with July 31, 2008.

3 Repeal. 2007, 271:7, I, as amended by 2012, 116:1, relative to the prospective repeal date of the research and development tax credit, is repealed.

4 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill increases the research and development tax credit against the business profits tax. The bill repeals the prospective repeal of the research and development tax credit.

The bill also changes the reporting requirements for the commissioner of resources and economic development regarding the research and development tax credit.

Amendment failed.

Rep. Almy offered floor amendment (0708h).

### Floor Amendment (0708h)

Amend the title of the bill by replacing it with the following:

AN ACT increasing the research and development tax credit against the business profits tax and relative to the report of the commissioner of resources and economic development on the research and development tax credit.

Amend the bill by replacing all after section 1 with the following:

2 Research and Development Tax Credit Program. Amend RSA 162-P:1 to read as follows:.

162-P:1 Research and Development Tax Credit Program.

I. The commissioner of resources and economic development shall file a report detailing the implementation of the tax credit program under RSA 77-A:5, XIII and the results achieved. The report shall include the following:

(a) Methods and activities used to implement the tax credit program.

(b) The number of companies, including venture capital funds, contacted relative to locating research and development activities in the state.

(c) *Types and sizes of companies using the credit, and the effect on hiring and company growth, to the extent permitted by confidentiality concerns.*

(d) *Size of the credit relative to the federal credit for typical companies.*

(e) Other information as deemed relevant.

II. This report shall be filed with the president of the senate, the speaker of the house of representatives, *the chairmen of the house and senate ways and means committees*, and the governor on or before July 31 of each year, beginning with July 31, 2008.

3 Repeal. 2007, 271:6 and 2007, 271:7, I, as amended by 2012, 116:1, relative to the prospective repeal date of the research and development tax credit, are repealed.

4 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill increases the research and development tax credit against the business profits tax. The bill repeals the prospective repeal of the research and development tax credit.

The bill also changes the reporting requirements for the commissioner of resources and economic development regarding the research and development tax credit.

Rep. Almy spoke in favor.

Floor amendment (0708h) adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Almy yielded to questions.

Rep. Campbell requested a roll call; sufficiently seconded.

#### YEAS 342 NAYS 7

##### YEAS 342

##### BELKNAP

Burchell, Richard  
Fink, Charles  
Holmes, Stephen  
Tilton, Franklin

Comtois, Guy  
Flanders, Donald  
Huot, David  
Vadney, Herbert

DiMartino, Lisa  
Greemore, Robert Jr  
Raymond, Ian  
Worsman, Colette

Fields, Dennis  
Gulick, Ruth  
Sylvia, Michael

##### CARROLL

Ahlgren, Christopher  
Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

Buco, Thomas  
Crawford, Karel  
Ticehurst, Susan

Butler, Edward  
Lavender, Tom  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
White, Syndi

##### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Johnson, Jane  
Phillips, Larry  
Shepardson, Marjorie

Burridge, Delmar  
Emerson, Susan  
Lerandeau, Alfred  
Roberts, Kris  
Tatro, Bruce

Butynski, William  
Hunt, John  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne  
Thomas, Yvonne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Rideout, Leon

Hatch, William  
Theberge, Robert

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Bailey, Brad  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Burt, John  
Cebrowski, John  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Goley, Jeffrey  
Hackel, Paul  
Harriott-Gathright, Linda  
Infantine, William  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
McNamara, Richard  
Nelson, Mary  
O'Flaherty, Tim  
Pellegrino, Tony  
Renzullo, Andrew  
Sanborn, Laurie  
Smith, Timothy  
Stroud, Kathleen  
Takesian, Charlene  
Villeneuve, Moe  
Williams, Carol

Barry, Richard  
Boisvert, Ronald  
Byron, Frank  
Chandley, Shannon  
Culbert, Patrick  
Flanagan, Jack  
Garcia, Michael  
Gorman, Mary  
Haefner, Robert  
Heden, Ruth  
Jack, Martin  
Lambert, George  
Levesque, Melanie  
Marston, Dick  
Meaney, Richard  
Notter, Jeanine  
Ober, Lynne  
Peterson, Lenette  
Rhodes, Brian  
Sandblade, Emily  
Soucy, Timothy  
Sullivan, Daniel  
Ulery, Jordan  
Walsh, Robert Jr  
Williams, Kermit

Beaulieu, Jane  
Booras, Elstathia  
Campbell, David  
Christiansen, Lars  
Daniels, Gary  
Gage, Ruth  
Gargas, Carolyn  
Grady, Brenda  
Hammond, Jill  
Hikel, John  
Jasper, Shawn  
LeBrun, Donald  
Long, Patrick  
McCarthy, Michael  
Murphy, Keith  
O'Brien, Michael Sr  
Ober, Russell III  
Porter, Marjorie  
Rokas, Ted  
Schmidt, Janice  
Spratt, Stephen  
Sullivan, Peter  
Vail, Suzanne  
Warden, Mark  
Winters, Joel

Belanger, James  
Brown, Pamela  
Carroll, Douglas  
Coffey, James  
Danielson, David  
Gagne, Larry  
Gidge, Kenneth  
Graham, John  
Hansberry, Daniel  
Hinch, Richard  
Jeudy, Jean  
Leishman, Peter  
MacKay, Mariellen  
McCloskey, David  
Murphy, Kelleigh  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Rosenwald, Cindy  
Shattuck, Gilman  
Straight, Philip  
Sweeney, Shawn  
Vaillancourt, Steve  
Willette, Robert  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hoell, J.R.  
Kidder, David  
McGuire, Carol  
Ratzki, Mario  
Rogers, Katherine  
Smith, Todd  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Hunt, Jane  
Kotowski, Frank  
McGuire, Dan  
Reed, Dennis  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Karrick, David Jr  
Lockwood, Priscilla  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kelly, Sally  
MacKay, James  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick

Allen, Mary  
Birdsell, Regina

Andrews-Ahearn, E. Elaine  
Borden, David

Baldasaro, Alfred  
Briden, Steven



Cahill, Michael  
 Comerford, Timothy  
 DeSimone, Debra  
 Elliott, Robert  
 Fesh, Robert  
 Garcia, Marilinda  
 Hagan, Joseph  
 Helmstetter, Barbara  
 Kappler, Lawrence  
 Mann, Maureen  
 Moody, Marcia  
 Pantelakos, Laura  
 Rice, Frederick  
 Sedensky, John  
 Tasker, Kyle  
 Tucker, Pamela  
 Weyler, Kenneth

Cali-Pitts, Jacqueline  
 Copeland, Timothy  
 Devine, James  
 Emerick, J. Tracy  
 Flockhart, Eileen  
 Gordon, Richard  
 Harris, Jeffrey  
 Hodgdon, Bruce  
 Khan, Aboul  
 McKinney, Betsy  
 Muns, Chris  
 Peckham, Michele  
 Sanders, Elisabeth  
 Sherman, Thomas  
 Thompson, David  
 Ward, Gerald  
 Whittemore, Lisa

Charron, Gene  
 Cushing, Robert Jr  
 Duarte, Joe  
 Emerson-Brown, Rebecca  
 Friel, William  
 Grace, Curtis  
 Hayes, Jack  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 McMahon, Charles  
 O'Connor, John  
 Perkins, Amy  
 Sapareto, Frank  
 St.James, Kevin  
 Till, Mary  
 Waterhouse, Kevin

Chirichiello, Brian  
 Danais, Romeo  
 Dumaine, Dudley  
 Ferrante, Beverly  
 Garcia, Bianca  
 Griffin, Mary  
 Heffron, Frank  
 Itse, Daniel  
 Major, Norman  
 Milz, David  
 Packard, Sherman  
 Perkins, Lawrence  
 Scarlotta, Joe  
 Sweeney, Joe  
 Tremblay, Stella  
 Wazlaw, Brian

### STRAFFORD

Baber, William  
 Burdwood, Greg  
 Gray, James  
 Horrigan, Timothy  
 Malloy, Dennis  
 Perry, Robert  
 Schmidt, Peter  
 Stevens, Audrey

Beaudoin, Steven  
 Burke, Rachel  
 Groen, Warren  
 Hubbard, Pamela  
 Miller, David  
 Pitre, Joseph  
 Smith, Marjorie  
 Verschueren, James

Berube, Roger  
 Ginsburg, Philip  
 Grossman, Kenneth  
 Jones, Laura  
 Parsons, Robbie  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Bixby, Peter  
 Grassie, Anne  
 Hooper, Dorothea  
 Kaen, Naida  
 Pelletier, Marsha  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

### SULLIVAN

Cloutier, John  
 O'Hearne, Andrew  
 Tanner, Linda

Gottling, Suzanne  
 Rollins, Skip

Grenier, James  
 Schmidt, Andrew

Irwin, Virginia  
 Smith, Steven

### NAYS 7

### BELKNAP

None

### CARROLL

None

### CHESHIRE

Parkhurst, Henry

### COOS

Rappaport, Laurence

### GRAFTON

None

### HILLSBOROUGH

Hansen, Peter

Kurk, Neal

Parison, James

### MERRIMACK

None

### ROCKINGHAM

Sytek, John

**STRAFFORD**

Bickford, David

**SULLIVAN**

None

and the committee report was adopted and ordered to third reading.

**HB 405**, establishing a committee to study issues related to children and families. **INEXPEDIENT TO LEGISLATE.**

Rep. Audrey M. Stevens for Children and Family Law: The committee agreed that the intent of this bill is a request for the information that is being researched in other study committees that are already established. The committee felt the other committees were better suited to present future legislation. Vote 15-3.

Committee report adopted.

**HB 539**, relative to enforcement of child support orders. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kelleigh D. Murphy for the Majority of Children and Family Law: This bill would have required the court to make a finding that the obligor has the ability to pay prior to issuing a finding of contempt or imposing other sanctions. The committee was concerned that the bill was duplicative, given that the present uniform support order requires the court to make a finding of an obligor's ability to pay. The committee further felt that current law properly placed the burden to prove an inability to pay on the obligor, and that this bill would turn that on its head. Vote 16-2.

Rep. Jeffrey D. Oligny for the Minority of Children and Family Law: Evidence continues to come from public members that have been sanctioned by the court for non-payment of child support without a clear finding from the court that they have the ability to pay the current court order. Although the uniform support order form has a checkbox to assure that someone has the ability to pay their child support order, the effectiveness of this remains in question. This bill assures that we sanction persons appropriately for failure to pay child support and do not inappropriately punish parents, further limiting their earnings ability and further harming the family financially.

Majority committee report adopted.

**HB 551**, establishing a commission to study the establishment of a paid family leave insurance program, contingent on the availability of federal funds to be administered through the department of employment security and supported by a payroll deduction or other revenue source. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert L. Nigrello for Children and Family Law: The majority believes a study to determine if a private voluntary paid portion of the family medical leave act (FLMA) would be viable within the state. The paid portion of the leave would come from a voluntary funded insurance plan for employees and employers. The existing task force on work and family will be charged with producing the study with a reduced and amended membership. Committee believes a viable voluntary program could be a competitive advantage to New Hampshire businesses. The amendment adjusts the make up of the task force to eliminate members from organizations that no longer exist and balance it with new members. Vote 15-1.

**Amendment (0718h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to the composition and duties of the task force on work and family.

Amend the bill by replacing all after the enacting clause with the following:

1 Task Force on Work and Family; Membership. RSA 276-B:2, I is repealed and reenacted to read as follows:

I. The members of the task force shall be as follows:

(a) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

(c) One member appointed by the governor.

(d) The commissioner of the department of employment security, or designee.

(e) The commissioner of labor, or designee.

(f) The commissioner of the department of health and human services, or designee.

(g) The commissioner of the department of education, or designee.

(h) A representative of the Business and Industry Association of New Hampshire, appointed by the association.

(i) A representative of the New Hampshire Small Business Association, appointed by that organization.

(j) A representative of the New Hampshire Small Business Development Center at the university of New Hampshire, appointed by the center.

(k) A representative of a local chamber of commerce, appointed by the governor.

(l) A representative of the Greater New Hampshire Human Resource Association, appointed by the association.

(m) A representative of the university of New Hampshire, Carsey Institute, appointed by the institute.

(n) A representative of the New Hampshire Children's Trust Fund, appointed by that organization.

(o) A representative of the university of New Hampshire cooperative extension, appointed by the extension.

(p) A representative of Child and Family Services, appointed by that organization.

(q) A representative of the New Hampshire Children's Alliance, appointed by that organization.

(r) A member of the New Hampshire AFL-CIO, appointed by the chapter president.

(s) A representative of skilled workers, appointed by the New Hampshire State Building and Construction Trades Council.

(t) A representative of Spark NH, appointed by that organization.

(u) A representative of the Women's Fund of New Hampshire, appointed by that organization.

(v) A representative of the insurance industry appointed by the New Hampshire Association of Domestic Insurance Companies.

2 New Subparagraphs; Task Force on Work and Family; Duties. Amend RSA 276-B:3, I by inserting after subparagraph (e) the following new subparagraphs:

(f) Study the establishment of a paid family leave voluntary insurance program, contingent on the availability of federal funds to be administered through the department of employment security and supported by a payroll deduction or other revenue source.

(g) Seek federal and private funds to complete an actuarial study to determine the costs of sustaining a paid family leave voluntary insurance program.

3 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill changes the composition and duties of the task force on work and family.

Amendment adopted.

Committee report adopted and ordered to third reading.

#### **HB 552**, relative to child support expenditures. **INEXPEDIENT TO LEGISLATE.**

Rep. Caroletta C. Alicea for Children and Family Law: This bill increases the costs that are currently set for child support payments without solving the problem it seeks to address. Merely creating a separate bank account will not eliminate the struggles between mothers and fathers in regards to the child support awards. There are also concerns that persons who currently have divorced and are in volatile situations could possibly be put in harms way. Vote 15-0.

Committee report adopted.

#### **HB 554**, allowing parents to agree on college contributions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Ruth P. Gulick for Children and Family Law: This bill will allow parents to agree upon college contributions and file such agreement with the court. Under present law, the courts may not enforce such agreements even when both parents agree upon the contributions. This bill would allow such agreements, and would further allow parties to designate such payments as modifiable or non-modifiable. Finally, the amendment adds a requirement for mediation of such agreements prior to court action where a party wishes to deviate from a filed agreement. Vote 18-0.

#### **Amendment (0484h)**

Amend the bill by replacing all after section 1 with the following:

2 New Sections; Agreement on College Expenses. Amend RSA 461-A by inserting after section 20 the following new sections:

461-A:21 Agreement on College Expenses. Parents may agree to contribute to their child's college expenses or other educational expenses beyond the completion of high school as part of a stipulated decree, signed by both parents and approved by the court. The agreed-on contribution may be made by one or both parents. The agreement may provide for contributions to an account to save for college, for the use of an asset, or for payment of educational expenses as incurred. Any such agreement shall specify the amount of the contribution, a percentage, or a formula to determine the amount of the contribution.

461-A:22 Modification of Agreements on College Expenses. Every agreement made under RSA 461-A:21 shall state whether the agreement either is modifiable or is not modifiable. To qualify as not modifiable, the agreement shall state a specific dollar amount to be contributed by either or both parents. If the parents' agreement states that it is modifiable, the legal test for modification shall be a substantial change in circumstances that was not foreseeable when the agreement was signed.

461-A:23 Enforcement of Agreements on College Expenses. The court shall enforce any parental agreement on educational expenses that meets the requirements of RSA 461-A:21.

461-A:24 Mediation of Agreements on College Expenses. Before any court hearing to modify or enforce any agreement to contribute to college expenses, the parties shall participate in mediation, either privately contracted mediation or mediation under RSA 461-A:7.

3 Applicability. The requirements of RSA 461-A:21 as inserted by section 2 of this act shall not apply to parental agreements signed before the effective date of this act.

4 Effective Date. This act shall take effect 60 days after its passage.

Amendment adopted.

Committee report adopted and ordered to third reading.

**HB 571**, establishing a task force to study and make recommendations on the judicial branch family court division. **INEXPEDIENT TO LEGISLATE.**

Rep. Kelleigh D. Murphy for Children and Family Law: This bill would have established a 21-member task force to study and make recommendations on the family court division. The committee felt that this bill was overly broad, that there were a number of more narrowly tailored study bills before the committee already, and that testimony showed that there were ample recent studies on the family court division. Vote 16-0.

Committee report adopted.

**HB 664-FN**, relative to the New Hampshire vaccine association. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit R. Williams for Commerce and Consumer Affairs: This bill amends the New Hampshire Vaccine Association Law (RSA 126-Q), a non-profit corporation that collects revenues from assessable entities for the cost of CDC-recommended vaccines provided to children in New Hampshire. The amendment replaces the entire bill after the enacting clause. The bill broadens the class of assessable entities to include third party administrators that are either licensed by or required to register with the Insurance Department, thereby including self-funded coverage. The bill also changes the assessable unit from all lives to child lives. Vote 15-4.

#### Amendment (0686h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Hampshire Vaccine Association; Definitions. RSA 126-Q:1 is repealed and reenacted to read as follows:

126-Q:1 Definitions. In this chapter:

I. "Assessable coverage" means:

(a) Health coverage as defined in RSA 420-G:2, IX;

(b) Stop loss coverage that conforms with RSA 415-H:3, or other group excess loss insurance purchased against the risk that any particular claim, or total liability, will exceed a specified dollar amount; or

(c) Group health plan, as defined by 42 U.S.C. 300gg-91(a).

II. "Assessable entity" means any:

(a) Health maintenance organization, as defined by RSA 420-B:1, VI.

(b) Third party administrator, as defined by RSA 402-H:1, I.

(c) Entity providing administrator services and required to register with the insurance commissioner under RSA 402-H:11-a or RSA 402-H:11-b.

(d) Insurance company licensed pursuant to RSA 401:1, IV.

(e) Health service corporation, as defined by RSA 420-A:1, III.

III. "Assessable lives" means all children under 19 years of age residing in the state who have assessable coverage written or administered by an assessable entity.

IV. "Assessment" means the assessable entity's liability with respect to childhood vaccines determined in accordance with this chapter. For purposes of rate setting and medical loss ratio calculations, all association assessments are considered pharmaceutical or medical benefit costs and not regulatory costs. In the event of any insolvency or similar proceeding affecting any payer, assessments shall be included in the highest priority of obligations to be paid by or on behalf of such payer.

V. "Association" means the New Hampshire vaccine association.

VI. "Board" means the board of directors of the New Hampshire vaccine association.

VII. "Commissioner" means the commissioner of the department of health and human services.

VIII. "Estimated vaccine cost" means the estimated cost to the state over the course of a state fiscal year of the purchase, distribution, and administration of vaccines purchased at the federal discount rate by the department of health and human services.

IX. "Provider" means a person licensed by this state to provide health care services to persons or a partnership or corporation made up of those persons.

X. "Total non-federal program cost" means the estimated vaccine cost less the amount of federal revenue available to the state for the purchase, distribution, and administration of vaccines.

XI. "Vaccine" means any preparations of killed microorganisms, living attenuated organisms, or living fully virulent organisms that are approved by the federal Food and Drug Administration and recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention and have been authorized by the commissioner of the department of health and human services for administration to children of the state of New Hampshire under the age of 19 years for the purposes of producing or artificially increasing immunity to particular life-threatening and disabling diseases.

2 New Hampshire Vaccine Association; Creation. Amend RSA 126-Q:2 to read as follows:

126-Q:2 Creation of Association. There is hereby created a nonprofit corporation to be known as the New Hampshire vaccine association. The association is formed to assess ~~[insurers]~~ **assessable entities** for the cost of vaccines provided to certain children in New Hampshire.

3 New Hampshire Vaccine Association; Powers and Duties. Amend RSA 126-Q:3, I to read as follows:

I. The New Hampshire vaccine association shall be comprised of all ~~[insurers currently writing or maintaining health insurance in New Hampshire]~~ **assessable entities**.

4 New Hampshire Vaccine Association; Powers and Duties. Amend RSA 126-Q:3, III(a) to read as follows:

(a) Three representatives selected from the ~~[insurers]~~ **assessable entities** currently writing ~~[or], maintaining [health insurance in New Hampshire and having the most child covered lives in New Hampshire], or administering assessable coverage through a voting process where votes are based on assessable lives. The plan of operation shall provide details for this selection process.~~

5 New Hampshire Vaccine Association; Powers and Duties. Amend RSA 126-Q:3, V(e)-(n) to read as follows:

(e) On an annual basis, no later than November 1 of each year, establish the amount of the assessment **for the succeeding year**.

(f) Enter into contracts as necessary or proper to collect and disburse the assessment.

(g) Enter into contracts as necessary or proper to administer the plan of operation.

(h) Sue or be sued, including taking any legal action necessary or proper for the recovery of any assessment for, on behalf of, or against members of the association or other participating person.

(i) Appoint from among its directors, committees as necessary to provide technical assistance in the operation of the association, including the hiring of independent consultants as necessary.

(j) ~~[Notify, in writing, each insurer of the insurer's assessment by November 15 of each year].~~  
**Determine an assessment amount and collect payments from assessed entities in accordance with RSA 126-Q:4.**

(k) Submit an annual report to the commissioner of insurance, in a manner and form determined by the commissioner, listing the association membership base, providing a count of ~~[covered]~~ *assessable* lives by ~~[member]~~ *assessable entity*, identifying changes in ~~[association membership and covered]~~ *assessable* lives *by assessable entity*, describing the collection of assessments, listing payment delinquencies, and containing such other related information as the commissioner may require.

(l) Allow each ~~[insurer]~~ *assessable entity* up to 90 days after the notification required by subparagraph (j) to remit its assessment or submit an assessment payment plan, subject to approval by the association and initial payment under an approved assessment payment plan] *45 days after the closing of each calendar quarter to report its assessable lives and remit its corresponding assessment amount as calculated pursuant to RSA 126-Q:4.*

(m) ~~[Deposit annual]~~ *Collect assessments from assessable entities as calculated under RSA 126-Q:4 and deposit said assessments [collected by the association] less the association's administrative costs annually and reserves with the state treasurer to the credit of the vaccine purchase fund established pursuant to RSA 141-C:17-a. At the written request of the association following a majority vote of the board of directors, any funds forwarded to the state treasurer for the vaccine purchase fund remaining unexpended for childhood vaccines, shall promptly be returned to the association.*

(n) *Be authorized to enter into one or more agreements with other applicable authorities in surrounding states to reduce the risk of duplicate assessments and to assure availability of vaccines for children who are residents of this state but who receive vaccination services in other states. Any costs relating to any such agreement shall be considered additional vaccine costs of the program for purposes of determining the association's assessments.*

(o) Perform any other functions as may be necessary or proper to carry out the plan of operation.

*(p) Adopt procedures by which affiliated assessable entities calculate their assessment on an aggregate basis and procedures to ensure that no assessable life is counted more than once. Unless otherwise determined by the board, the assessable entity responsible for the payment of the provider's administrative costs for childhood vaccines shall be the entity responsible for reporting assessable lives and payment of the corresponding assessment.*

6 New Hampshire Vaccine Association; Assessment. RSA 126-Q:4 is repealed and reenacted to read as follows:

#### 126-Q:4 Assessment Determination.

I. The board shall determine an assessment for each assessable entity in accordance with this section. An assessment determination made pursuant to this section is a pharmaceutical cost and not a regulatory cost for purposes of calculating the carrier's medical loss ratio.

II. In determining the assessment amount, the board shall:

(a) Estimate the total non-federal program cost for the succeeding year;

(b) Add its anticipated operating costs for the succeeding year and such additional working capital reserves as may be established by the board from time to time;

(c) Add a reserve of up to 10 percent of the anticipated cost under subparagraph (a) for unanticipated costs associated with providing vaccines to children covered; and

(d) Subtract the amount of any unexpended assessments collected in the preceding year along with any unexpended interest accrued to the fund during the preceding year.

III. The board shall include in its plan of operations, details regarding the timing for assessment collections, and the form and format assessable entities shall use to calculate assessments.

IV. The board shall include in its plan of operation details regarding payment due dates, grace periods, late payment fees, interest, and other details regarding the collection of assessments.

V. The board may determine an interim assessment for new vaccines or unanticipated shortfalls in the association's ability to meet childhood vaccine funding needs. The board shall calculate the interim assessment in accordance with paragraph II, and the interim assessment is payable the calendar quarter that begins no less than 30 days following the establishment of the federal contract price. The board shall not impose more than one interim assessment per year, except in the case of a public health emergency declared in accordance with state or federal law.

VI. In the event that the association discontinues operation for any reason, any unexpended assessments, including unexpended funds from prior assessments in the state vaccine purchase fund, shall be refunded to payees in proportion to the respective assessment payments by payees over the most recent 8 quarters prior to discontinuation of association operations.

7 New Hampshire Vaccine Association; Powers and Duties. Amend RSA 126-Q:5 to read as follows:

126-Q:5 Powers and Duties. In addition to the duties and powers enumerated elsewhere in this chapter:

I. The commissioner of insurance shall ~~[fine any insurer that fails to pay an assessment within 6 months of notification under RSA 126-Q:3, V(j)].~~ The fine shall be at least \$5,000 and no more than 125 percent of the amount of the delinquent assessment. Fines so levied shall be deposited with the state treasurer to the credit of the vaccine purchase fund established pursuant to RSA 141-C:17-a), *after notice from the association, issue a show cause order to any assessable entity that fails to comply with the association's plan of operation. In addition to late fees and other penalties imposed by the association, assessable entities may, after a finding of just cause, be subject to a minimum fine of \$5,000, a maximum fine of 25 percent of the total amount of delinquent assessments, and licensure suspension.*

I-a. The insurance commissioner shall annually review the *assessment* report required under RSA 126-Q:3, V(k) ~~[on association membership, covered lives, and the payment of assessments]~~ to ensure that all ~~[insurers that should be members of the association]~~ *assessable entities* are participating in the association and that all ~~[association members]~~ *assessable entities* have accurately reported ~~[covered]~~ *assessable* lives ~~[and paid the proper assessment]~~. The association shall remedy any problem identified by the commissioner with respect to ~~[membership in the association, reporting of covered lives, or payment of the assessment]~~ *assessable entities and assessable lives.*

II. The commissioner and the commissioner of insurance may adopt rules, pursuant to RSA 541-A, as necessary to carry out the purposes of this chapter.

2 Effective Date. This act shall take effect upon its passage.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. On a division vote, 291 members having voted in the affirmative and 53 in the negative, the committee report was adopted and ordered to third reading.

### **HB 668-FN, relative to group and individual health insurance market rules. OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris Muns for Commerce and Consumer Affairs: This bill is a request of the insurance department. HB 668 preserves New Hampshire's state regulatory authority over health insurance. After new market rules under the federal Affordable Care Act (ACA) take effect on January 1, 2014, state insurance laws will be preempted if their enforcement would prevent the application of the federal law. As amended, HB 668 makes the minimal changes required to preserve state regulatory authority, while retaining provisions that do not conflict with the ACA. Specifically, the bill aligns New Hampshire's market rules for the individual and small group markets with those of the ACA by eliminating underwriting and preexisting condition waiting periods and adopting the ACA's allowable rating factors and employee counting rules. As amended, the bill would retain the status quo which prohibits geographic rating, but would require the department to prepare a report highlighting alternative approaches to geographic rating and their likely impacts. The department would also study the possibility of linking availability of a tobacco cessation program to use of the tobacco rating factor in the individual market; this linkage would already be present in the small group market. Vote 16-3.

#### **Amendment (0627h)**

Amend RSA 420-G:2, XII-a as inserted by section 4 of the bill by replacing it with the following:

XII-a. "List billing" means a method of calculating premium rates for small employer groups in which each enrolled employee's rate varies ~~[only]~~ by the enrolled employee's attained age ~~[and]~~, the enrolled employee's family composition, *and tobacco use by the enrolled employee and the employee's covered family.*

Amend the bill by replacing section 6 with the following:

6 Definitions Added. Amend RSA 420-G:2, XV-a to read as follows:

XV-a. "*Qualified health plan*" means a health plan that meets all requirements for certification set forth under 42 U.S.C. section 18021 and any applicable rules or regulations.

XV-b. "Rating period" means the time period for which the premium rate charged by a health carrier to an individual or a small employer for a health benefit plan is in effect.

***XV-c. “SHOP exchange” means the Small Business Health Options Program established for New Hampshire under 42 U.S.C. section 13031(b).***

Amend RSA 420-G:4, I-a(f) as inserted by section 9 of the bill by replacing it with the following:

***(f) For small employers, carriers shall calculate premium rates for employee and dependent coverage on a list bill basis and shall provide the employer with a billing statement that shows premiums on both a list bill and a composite bill basis.***

Amend RSA 420-G:5, I as inserted by section 11 of the bill by replacing it with the following:

***I. Health carriers providing [health] grandfathered coverage [for individuals] may in the individual market only, perform medical underwriting, including the use of health statements or screenings or the use of prior claims history, to the extent necessary to establish or modify premium rates as provided in RSA 420-G:4. Health carriers shall not perform medical underwriting for any other type of coverage in the individual and small group markets. Health carriers providing coverage in the large group market may perform medical underwriting.***

Amend the bill by replacing section 18 with the following:

18 Participation Requirements. Amend RSA 420-G:9, I and II to read as follows:

***I. For coverage purchased outside of the SHOP exchange, a health carrier may not require more than the minimum participation percentage of the employees eligible for health coverage in a small employer group to participate in the health carrier’s health coverage plan. The minimum participation percentage shall be 75 percent when the health carrier’s plan is the sole health coverage plan being sponsored by the employer group, and 37.5 percent when the health carrier’s plan is not the sole health coverage plan being sponsored by the employer group.***

***I-a. For coverage purchased in the SHOP exchange, the exchange shall not require more than the minimum participation percentage of the employees eligible for health coverage in a small employer group to participate in the SHOP exchange, equal to 75 percent. No health carrier shall apply any other participation test.***

***II. For the purpose of calculating whether or not a small employer group’s enrollment meets a carrier’s minimum participation requirements:***

***(a) Any full-time or part-time employees who are covered as a dependent on another person’s health coverage or are enrolled in a governmental plan such as Medicare, Medicaid, or TRICARE shall be excluded from the count.***

***(b) Any full-time or part-time employees who have been found eligible for a premium tax credit and are enrolled in a qualified health plan purchased through an exchange shall be excluded from the count.***

***(c) The total number of full-time employees and part-time employees who are otherwise eligible for health coverage shall be counted.***

Amend the bill by replacing section 20 with the following:

20 Rulemaking. Amend RSA 420-G:14, I to read as follows:

***I.(a) The commissioner [may] shall adopt rules, under RSA 541-A, [necessary to the proper administration of this chapter:] relative to establishing:***

***(1) Uniform age rating levels that are consistent with 45 C.F.R. 147.102.***

***(2) Special enrollment periods designed to allow employees to purchase individual coverage on the exchange during their employer’s open enrollment period, even if the employer’s open enrollment period does not coincide with the open enrollment period in the individual market.***

***(b) The commissioner may adopt further rules, pursuant to RSA 541-A, necessary to the proper administration of this chapter.***

Amend the bill by replacing all after section 25 with the following:

26 New Section; Prohibition on Lifetime or Annual Limits; Coverage of Preventative Health Services. Amend RSA 420-G by inserting after section 3 the following new section:

420-G:3-a Prohibition on Lifetime or Annual Limits; Coverage of Preventative Health Services.

***I. All health coverage offered by health carriers to individuals, small employers, or large employers shall:***

***(a) Not contain lifetime or annual limits, in accordance with 42 U.S.C. section 300gg-11(a); and***

***(b) Provide coverage for preventative health services, without any cost-sharing requirements, in accordance with 42 U.S.C. section 300gg-13.***

***II. This section shall not apply to grandfathered health coverage.***

27 New Section; Consistency. Amend RSA 420-N by inserting after section 6 the following new section:



420-N:6-a Consistency. In order to prevent a default to federal regulation and to preserve the state's status as the sole regulator of the business of insurance within the state, the oversight committee shall have the authority to find, with respect to any specific provision within Title XXXVII, that the provision is inconsistent with and prevents the application of the Act and to authorize the commissioner, on a provisional basis, to implement a specific provision of the Act. The commissioner's authority to implement this provision shall extend only until such time as the general court can take legislative action to amend Title XXXVII as it deems appropriate.

28 Report Required. The commissioner shall issue a report to the speaker of the house of representatives, the president of the senate, the house and senate committees having jurisdiction over commerce issues, and the governor no later than December 1, 2013 with respect to considerations and possible approaches to the creation of geographic rating areas for the individual and small group markets and with respect to the possibility of requiring that carriers applying a tobacco rating factor in the individual market make available a tobacco cessation wellness program, participation in which would fully offset any increase in premium due to the tobacco rating factor.

29 Repeal. The following are repealed:

- I. RSA 420-G:4-b, relative to New Hampshire HealthFirst.
- II. RSA 420-G:7, IV, relative to alternative method of crediting coverage.

30 Effective Date.

- I. Sections 27 and 28 of this act shall take effect 60 days after its passage.
- II. Section 8 of this act shall take effect January 1, 2016.
- III. The remainder of this act shall take effect January 1, 2014.

Amendment adopted.

Committee report adopted and ordered to third reading.

**HB 337-FN**, legalizing marijuana and cannabis. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Brenda E. Grady for the Majority of Criminal Justice and Public Safety: This bill went through several motions in committee before arriving at the final Inexpedient to Legislate. Of the many points and concerns raised were: a) The "message" being sent to young people that marijuana, being legally available to those over 21, minimized the negative effect on a user under 21. b) Some members had a shared belief that marijuana was indeed the "Gateway Drug" for other illegal drugs. c) The biochemical effects upon the brain, especially when used frequently, have been shown to be psychoactive, influencing memory, thinking and concentration. d) Testimony against this bill was provided by a federal firearms licensee because passing a state law legalizing marijuana will conflict with federal laws that prohibit any person who is an unlawful user of marijuana from shipping, transporting, receiving, or possessing firearms or ammunition. Additionally, federal law makes it unlawful for any person, including federal firearms licensees to dispose of any firearm or ammunition to any person who is an unlawful user of a controlled substance, such as marijuana. Again, this bill is in conflict with federal law. Vote 12-8.

Rep. Mark Warden for the Minority of Criminal Justice and Public Safety: This bill would remove the words "cannabis and marijuana" from RSA section 318-B, the Controlled Drug Act. It repeals the prohibition on this plant in all forms and repeals the illegality of possessing drug paraphernalia such as pipes, bongs and "carburetion tubes and masks." The minority believes that the time has come for a serious discussion about the state's war on marijuana users. Untold costs to the taxpayers, ruined families and careers and misallocation of law enforcement and judicial resources away from prosecuting violent crimes are all good reasons to pass this legislation. Study after study shows that a large percentage of the population supports ending marijuana prohibition. Further, the minority rejects the notion of federal supremacy in this area. The United States and state constitutions guarantee state sovereignty and the state's responsibility to make laws that govern its residents is clear. We proved with Real ID that we can successfully challenge overreach from Washington, DC. Relative to legal products, every thinking person realizes that abuse of tobacco and alcohol are far greater dangers to personal and public health than simple cannabis use. Finally, this legislation turns back the notion that the state must regulate the personal behavior of adults and youths. Parents are the best ones to teach proper conduct and safe habits to their children. Criminal penalties for cannabis possession have the unintended consequence of supplanting parental responsibility, encouraging a father and mother to abdicate their duty to teach right and wrong to their children.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Vaillancourt requested a roll call; sufficiently seconded.

**YEAS 239 NAYS 112****YEAS 239****BELKNAP**

Burchell, Richard	DiMartino, Lisa	Fields, Dennis	Flanders, Donald
Holmes, Stephen	Huot, David	Raymond, Ian	Tilton, Franklin
Vadney, Herbert	Worsman, Colette		

**CARROLL**

Ahlgren, Christopher	Buco, Thomas	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	Lavender, Tom	McConkey, Mark	Nelson, Bill
Ticehurst, Susan	Umberger, Karen	Wright, Donald	

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Emerson, Susan	Hunt, John	Johnsen, Gladys
Johnson, Jane	Lerandeau, Alfred	Mann, John	Parkhurst, Henry
Sad, Tara	Tatro, Bruce	Weber, Lucy	

**COOS**

Enman, Larry	Hammon, Marcia	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne

**GRAFTON**

Aguiar, James	Almy, Susan	Bailey, Brad	Bradley, Lester
Brown, Rebecca	Cooney, Mary	Doolan, Ralph Jr	Ford, Susan
Harding, Laurie	Higgins, Patricia	Ladd, Rick Jr	Lauer, Linda
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

**HILLSBOROUGH**

Backus, Robert	Boehm, Ralph	Boisvert, Ronald	Booras, Efstathia
Brown, Pamela	Burt, John	Byron, Frank	Campbell, David
Carroll, Douglas	Cebrowski, John	Chandley, Shannon	Coffey, James
Connor, Evelyn	Daniels, Gary	Danielson, David	DiSilvestro, Linda
Flanagan, Jack	Gale, Sylvia	Gargas, Carolyn	Goley, Jeffrey
Grady, Brenda	Graham, John	Haefner, Robert	Hammond, Jill
Hansberry, Daniel	Harriott-Gathright, Linda	Heden, Ruth	Hinch, Richard
Infantine, William	Jack, Martin	Jasper, Shawn	Knowles, Mary Ann
LeBrun, Donald	LeVasseur, Richard	Levesque, Melanie	MacKay, Mariellen
Manley, Jonathan Sr	Marston, Dick	McCarthy, Michael	McCloskey, David
Meaney, Richard	Nelson, Mary	Notter, Jeanine	Palmer, Stephen
Pellegrino, Tony	Porter, Marjorie	Renzullo, Andrew	Rosenwald, Cindy
Shattuck, Gilman	Soucy, Timothy	Spratt, Stephen	Stroud, Kathleen
Sullivan, Daniel	Ulery, Jordan	Vail, Suzanne	Villeneuve, Moe
Walsh, Robert Jr	Willette, Robert	Williams, Carol	Williams, Kermit

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bouchard, Candace	Burns, Scott
Carey, Lorrie	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	Frazer, June	Hirsch, Geoffrey	Hunt, Jane
Kelly, Sally	Kotowski, Frank	MacKay, James	Moffett, Howard
Patten, Dick	Reed, Dennis	Rice, Chip	Richardson, Gary

Rogers, Katherine  
Smith, Todd  
Walsh, Thomas IV

Schamberg, Thomas  
Tilton, Joy  
Webb, Leigh

Schuett, Dianne  
Turcotte, Alan

Shurtleff, Stephen  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Charron, Gene  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Heffron, Frank  
Kappler, Lawrence  
McKinney, Betsy  
Muns, Chris  
Peckham, Michele  
Sanders, Elisabeth  
Sytek, John  
Wazlaw, Brian

Allen, Mary  
Borden, David  
Copeland, Timothy  
Dumaine, Dudley  
Flockhart, Eileen  
Grace, Curtis  
Helmstetter, Barbara  
Khan, Aboul  
McMahon, Charles  
O'Connor, John  
Perkins, Amy  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Baldasaro, Alfred  
Cahill, Michael  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Hodgdon, Bruce  
Lovejoy, Patricia  
Milz, David  
Packard, Sherman  
Perkins, Lawrence  
Sherman, Thomas  
Tremblay, Stella  
Whittemore, Lisa

Bick, Patrick  
Cali-Pitts, Jacqueline  
Devine, James  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Hoelzel, Kathleen  
Major, Norman  
Moody, Marcia  
Pantelakos, Laura  
Rice, Frederick  
St.James, Kevin  
Tucker, Pamela

### STRAFFORD

Baber, William  
Gardner, Janice  
Hubbard, Pamela  
Perry, Robert  
Spainhower, Dale

Berube, Roger  
Ginsburg, Philip  
Jones, Laura  
Pitre, Joseph  
Stevens, Audrey

Bixby, Peter  
Groen, Warren  
Malloy, Dennis  
Rollo, Deanna  
Verschueren, James

Burdwood, Greg  
Hooper, Dorothea  
Miller, David  
Schmidt, Peter  
Wall, Janet

### SULLIVAN

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne  
Smith, Steven

Irwin, Virginia  
Sweeney, Cynthia

O'Hearne, Andrew  
Tanner, Linda

### NAYS 112

### BELKNAP

Comtois, Guy  
Sylvia, Michael

Fink, Charles

Greemore, Robert Jr

Gulick, Ruth

### CARROLL

Butler, Edward

White, Syndi

### CHESHIRE

Eaton, Daniel  
Robertson, Timothy

Ley, Douglas  
Shepardson, Marjorie

Phillips, Larry  
Weed, Charles

Roberts, Kris

### COOS

Coulombe, Gary

Theberge, Robert

### GRAFTON

Benn, Bernard  
Reilly, Harold Sr

Friedrich, Carol

Gionet, Edmond

Lovett, Sid

### HILLSBOROUGH

Barry, Richard  
Culbert, Patrick  
Gidge, Kenneth  
Hikel, John  
Leishman, Peter  
O'Brien, Michael Sr  
Ober, Russell III  
Rhodes, Brian

Beaulieu, Jane  
Gage, Ruth  
Gorman, Mary  
Jeudy, Jean  
McNamara, Richard  
O'Brien, William  
Parison, James  
Rokas, Ted

Belanger, James  
Gagne, Larry  
Hackel, Paul  
Kurk, Neal  
Murphy, Keith  
O'Flaherty, Tim  
Peterson, Lenette  
Sanborn, Laurie

Christiansen, Lars  
Garcia, Michael  
Hansen, Peter  
Lambert, George  
Murphy, Kelleigh  
Ober, Lynne  
Pratt, Calvin  
Sandblade, Emily

Schmidt, Janice  
Sweeney, Shawn  
Winters, Joel

Smith, Timothy  
Takesian, Charlene  
Woodbury, David

Straight, Philip  
Vaillancourt, Steve

Sullivan, Peter  
Warden, Mark

### MERRIMACK

Bartlett, Christy  
Hoell, J.R.  
McGuire, Carol

French, Barbara  
Karrick, David Jr  
McGuire, Dan

Gile, Mary  
Kidder, David  
Ratzki, Mario

Henle, Paul  
Lockwood, Priscilla  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cushing, Robert Jr  
Friel, William  
Mann, Maureen  
Tasker, Kyle

Briden, Steven  
Danais, Romeo  
Griffin, Mary  
Sapareto, Frank  
Till, Mary

Chirichiello, Brian  
Emerick, J. Tracy  
Hayes, Jack  
Scariotto, Joe  
Ward, Gerald

Comerford, Timothy  
Emerson-Brown, Rebecca  
Itse, Daniel  
Sweeney, Joe  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Gray, James  
Parsons, Robbie  
Spang, Judith

Bickford, David  
Grossman, Kenneth  
Pelletier, Marsha  
Ward, Kenneth

Burke, Rachel  
Horrigan, Timothy  
Rogers, Rose Marie

Grassie, Anne  
Kaen, Naida  
Smith, Marjorie

### SULLIVAN

Cloutier, John

Grenier, James

Schmidt, Andrew

and the majority committee report was adopted.

Reps. Sanborn and Hansen voted Nay and intended to vote Yea.

**HB 442**, prohibiting residency restrictions for registered sex offenders and offenders against children. **OUGHT TO PASS.**

Rep. Brenda E. Grady for Criminal Justice and Public Safety: The majority of the committee felt that this bill would be considered unconstitutional if brought up to the court. Testimony supplied by the department of safety stated that such restrictions force sex offenders "underground" into a non-compliance status. Vote 16-2.

Committee report adopted and ordered to third reading.

**HB 458**, relative to resisting arrest. **INEXPEDIENT TO LEGISLATE.**

Rep. Philip E. Ginsburg for Criminal Justice and Public Safety: Existing law makes it a misdemeanor for a person to physically interfere with an arrest; the act becomes a class B felony if resisting arrest causes serious bodily injury. The bill would confine the offense to cases of "lawful" arrest based on probable cause, eliminating the provision in current law that the offense exists regardless of whether there is a legal basis for the arrest. The committee concluded that the change would encourage many arrestees, believing that they were being arrested improperly, to feel justified in violent resistance, endangering both law enforcement officers and themselves. The committee prefers that, in the interest of public safety, questions of the legality of arrests be decided peacefully, in court. Vote 18-2.

Rep. Dan McGuire spoke against.

Rep. Ginsburg spoke in favor.

Rep. Worsman requested a roll call; sufficiently seconded.

**YEAS 252 NAYS 96**

### YEAS 252

### BELKNAP

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

Gulick, Ruth

### CARROLL

Ahlgren, Christopher  
Crawford, Karel  
Ticehurst, Susan

Buco, Thomas  
Lavender, Tom  
White, Syndi

Butler, Edward  
McConkey, Mark

Chandler, Gene  
Nelson, Bill

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Shepardson, Marjorie

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Tatro, Bruce

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Connor, Evelyn  
Gagne, Larry  
Gorman, Mary  
Haefner, Robert  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Sullivan, Peter  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
Danielson, David  
Gale, Sylvia  
Grady, Brenda  
Hammond, Jill  
Jack, Martin  
Kurk, Neal  
MacKay, Mariellen  
Nelson, Mary  
Rhodes, Brian  
Shattuck, Gilman  
Straight, Philip  
Takesian, Charlene  
Williams, Carol

Boisvert, Ronald  
Cebrowski, John  
DiSilvestro, Linda  
Gargas, Carolyn  
Graham, John  
Hansberry, Daniel  
Jasper, Shawn  
Leishman, Peter  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rokas, Ted  
Smith, Timothy  
Stroud, Kathleen  
Vail, Suzanne  
Williams, Kermit

Brown, Pamela  
Chandley, Shannon  
Gage, Ruth  
Goley, Jeffrey  
Hackel, Paul  
Harriott-Gathright, Linda  
Judy, Jean  
LeVasseur, Richard  
McCloskey, David  
Pellegrino, Tony  
Rosenwald, Cindy  
Soucy, Timothy  
Sullivan, Daniel  
Vaillancourt, Steve  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Reed, Dennis  
Schamberg, Thomas  
Tilton, Joy  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kotowski, Frank  
Ratzki, Mario  
Rogers, Katherine  
Smith, Todd  
Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael  
Copeland, Timothy  
Devine, James  
Emerson-Brown, Rebecca  
Griffin, Mary  
Helmstetter, Barbara

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Dumaine, Dudley  
Fesh, Robert  
Harris, Jeffrey  
Khan, Aboul

Borden, David  
Charron, Gene  
Dana, Romeo  
Elliott, Robert  
Flockhart, Eileen  
Hayes, Jack  
Lovejoy, Patricia

Briden, Steven  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Grace, Curtis  
Heffron, Frank  
Major, Norman

Mann, Maureen  
Muns, Chris  
Perkins, Amy  
Sedensky, John  
Thompson, David  
Wazlaw, Brian

McKinney, Betsy  
O'Connor, John  
Perkins, Lawrence  
Sherman, Thomas  
Till, Mary  
Whittemore, Lisa

Milz, David  
Packard, Sherman  
Sanders, Elisabeth  
St.James, Kevin  
Ward, Gerald

Moody, Marcia  
Pantelakos, Laura  
Scarlotta, Joe  
Sytek, John  
Waterhouse, Kevin

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Berube, Roger  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Burdwood, Greg  
Grossman, Kenneth  
Jones, Laura  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
O'Hearne, Andrew  
Tanner, Linda

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

### NAYS 96

### BELKNAP

Burchell, Richard  
Holmes, Stephen

Comtois, Guy  
Sylvia, Michael

Fink, Charles  
Vadney, Herbert

Greemore, Robert Jr  
Worsman, Colette

### CARROLL

Cordelli, Glenn

Wright, Donald

### CHESHIRE

Hunt, John

Phillips, Larry

Roberts, Kris

Robertson, Timothy

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad

Doolan, Ralph Jr

### HILLSBOROUGH

Barry, Richard  
Burt, John  
Culbert, Patrick  
Hikel, John  
LeBrun, Donald  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Sanborn, Laurie  
Villeneuve, Moe

Belanger, James  
Byron, Frank  
Daniels, Gary  
Hinch, Richard  
Marston, Dick  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Warden, Mark

Boehm, Ralph  
Christiansen, Lars  
Flanagan, Jack  
Infantine, William  
McCarthy, Michael  
Notter, Jeanine  
Ober, Russell III  
Pratt, Calvin  
Sweeney, Shawn  
Willette, Robert

Booras, Efstathia  
Coffey, James  
Garcia, Michael  
Lambert, George  
Meaney, Richard  
O'Brien, William  
Palmer, Stephen  
Renzullo, Andrew  
Ulery, Jordan  
Winters, Joel

### MERRIMACK

Hoell, J.R.  
McGuire, Dan

Hunt, Jane

Lockwood, Priscilla

McGuire, Carol

### ROCKINGHAM

Allen, Mary  
Comerford, Timothy  
Garcia, Bianca

Baldasaro, Alfred  
Duarte, Joe  
Garcia, Marilinda

Bick, Patrick  
Ferrante, Beverly  
Gordon, Richard

Birdsell, Regina  
Friel, William  
Hagan, Joseph

Hodgdon, Bruce  
McMahon, Charles  
Sweeney, Joe  
Weyler, Kenneth

Hoelzel, Kathleen  
Peckham, Michele  
Tasker, Kyle

Itse, Daniel  
Rice, Frederick  
Tremblay, Stella

Kappler, Lawrence  
Sapareto, Frank  
Tucker, Pamela

### STRAFFORD

Beaudoin, Steven  
Groen, Warren

Bickford, David  
Parsons, Robbie

Gardner, Janice  
Pitre, Joseph

Gray, James

### SULLIVAN

Rollins, Skip

and the committee report was adopted.

#### **HB 512**, relative to the power of a peace officer to make an arrest without a warrant. **INEXPEDIENT TO LEGISLATE.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety: This bill is one of a series of bills to come before the committee this year that the bipartisan majority believes would weaken current law protecting victims of domestic violence and make those victims more vulnerable to battering and other abuse. The bill prohibits a law enforcement officer from arresting a batterer without a warrant in any case unless the officer or another police officer witnessed the abuse occurring. If this bill is enacted, a police officer responding to a domestic call who arrived at the scene and found a woman knocked unconscious, with a man the officer had probable cause to believe was the perpetrator standing nearby, the officer would be unable to make an arrest for domestic violence until the victim regained consciousness and could write out a complaint. The bill also repeals the current law that permits an arrest without warrant when a law enforcement officer has probable cause to believe that the person to be arrested has committed a misdemeanor crime and, if not immediately arrested, will not be apprehended, will destroy or conceal evidence of the crime or will cause further personal injury or damage to property. The bill was opposed by victims who had been battered and abused by their domestic partners, by the New Hampshire coalition against domestic and sexual violence and its 14 member programs, as well as the attorney general, the department of safety, and many other law enforcement agencies. The majority believes passing this bill will roll back domestic violence protections that have been in place since the legislature, in 1999, revised the Protection of Persons from Domestic Violence Law. We urge the House to defeat this bill and send a clear message that in the state of New Hampshire domestic abuse is a crime that will not be tolerated or condoned. Vote 18-2.

Committee report adopted.

#### **HB 619-FN**, prohibiting images of a person's residence to be taken from the air. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: Admittedly, New Hampshire may be the first state to pass a bill of this kind, but by a wide margin, the committee believes that we should be proud in going where no state has gone before. In fact, this bill could well become a model for other states when it comes to regulating drones which, more and more as technology advances, could pose a threat to individual privacy. The amendment is carefully crafted and thorough in defining air space, drones and other items referred to in the body of the bill. The goal is to prevent images of a person's residence to be taken from the air by drones which can be extremely small and are now increasingly available, at a very cheap cost. The committee is alarmed to think that a person could use one of these devices to invade a neighbor's privacy. We delight in being in the forefront of stopping Big Brother from making inroads here. At the same time, wording is careful so as to not ban aerial photos, taken by drones, of properties when no faces are recognizable. While this bill might be difficult to enforce, so too are many other laws we pass, and as publicity spreads on the progress of this bill, the committee expects many positive results, if not in the next month or year, then certainly in the mid and long term. Vote 16-2.

#### **Amendment (0448h)**

Amend the title of the bill by replacing it with the following:

AN ACT regulating the use of drones.

Amend the bill by replacing all after the enacting clause with the following:

I New Chapter; Drones. Amend RSA by inserting after chapter 644 the following new chapter:

CHAPTER 644-A

DRONES

644-A:1 Definitions. In this chapter:

I. "Airspace" means the space above the ground in New Hampshire that is not part of airspace governed by federal law.

II. "Drone" means an unmanned flying machine that is capable of:

(a) Capturing images or sounds of objects or people on the ground, in or about buildings or structures, or in the air;

(b) Intercepting communications on the ground, in or about buildings and structures, or in the air; or

(c) Firing a bullet, LASER-type ray, other projectile or any kind of lethal or non-lethal weapon.

III. "Government" means federal, state and local agencies and departments and any political subdivisions thereof, including employees, agents and contractors.

IV. "Individual" means a living human being.

V. "Information" means any evidence, images, sounds, or data gathered by a drone.

VI. "Person" means individuals, corporations, organizations, for-profit and not-for-profit entities, excluding the government.

VII. "Surveillance" means the act of monitoring, observing, photographing, taking images of, listening to, or making a recording of:

(a) A recognizable individual or a group of individuals or their movements, activities, and communications; or

(b) The interior of a building or structure.

644-A:2 Use of Drones Prohibited; Exceptions.

I.(a) No government shall use a drone in this state; provided, however, that such prohibition shall not apply:

(1) To counter a high risk of a terrorist attack by a specific person if the United States Secretary of Homeland Security determines that credible intelligence indicates there is that risk.

(2) If a government first obtains a search warrant based on probable cause signed by a judge authorizing the use of a drone. The warrant shall be limited to a particular person or location and limited to a particular investigation. The warrant shall be limited to a period of 45 days. Within 10 days after the warrant expires, the law enforcement agency shall serve a copy of the warrant on the person subject to drone surveillance, except that a judge may delay notice upon a showing of reason to believe that the notice would jeopardize an ongoing investigation.

(3) If a government possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life or serious damage to property, or to forestall the imminent escape of a suspect, or the destruction of evidence. The use of a drone under subparagraph (c) shall be limited to a period of 48 hours. Within 24 hours of the initiation of the use of a drone under this subparagraph (c), the government shall report in writing the use of a drone to the attorney general.

(4) If a government obtains the prior, written consent of the person who is the subject of the surveillance and the owner or lessee of the property which is the subject of the surveillance.

(b) If a government uses a drone under this paragraph, it shall within 24 hours permanently destroy all information gathered by the drone other than that relating directly to the purpose for which the warrant was obtained.

(c) Evidence obtained by a government through the use of a drone in violation of this paragraph shall not be admissible in any judicial or administrative proceeding and shall not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed.

II. No person shall use a drone to conduct surveillance without the prior, written consent of each affected individual or other person and each owner or possessor of affected buildings or structures. It shall not be a defense to a charge of violating this chapter that the property, including buildings, structures or land, below the airspace was not marked with a no-trespassing sign or similar notice.

III. No government or person shall own or use a drone that is equipped with a bullet, LASER-ray, other projectile or any kind of lethal or non-lethal weapon.

IV. No person shall use a drone for the purpose of hunting or stalking game.



V. Any government or person that owns, uses, or exercises control over a drone in this state that causes injury to a person or property shall be strictly liable for the injury.

644-A:3 Reporting Requirement. A government that owns or operates one or more drones shall on each July 1st report in writing to the attorney general the number of drones it owns, leases, and uses and the number of times each was used during the prior year.

644-A:4 Penalties.

I. Each individual, including a government employee, agent, and contractor, who violates RSA 644-A:2, I shall be guilty of a class B felony.

II. Each person, including a government employee, agent, and contractor, who violates RSA 644-A:2, III shall be guilty of a class A felony.

III. A government that violates RSA 644-A:2, I or III shall be subject to a civil penalty of up to \$10,000 which shall be deposited in the general fund of the state.

IV. Each person who violates RSA 644-A:2, II shall be guilty of a class A misdemeanor.

V. Each person who violates RSA 644-A:2, IV shall be guilty of a class B misdemeanor.

VI. Any person who suffers injury caused by a drone operated in violation of this chapter shall be entitled to damages from the person or government that committed the violation of not less than \$5,000 and an award of reasonable attorney fees.

VII. In addition to any other remedies allowed by law, a person who gains unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less than \$5,000 and an award of reasonable attorney fees.

2 Effective date. This act shall take effect July 1, 2013.

#### AMENDED ANALYSIS

This bill prohibits, with limited exceptions, the use of drones by state agencies and individuals. It establishes criminal penalties and civil remedies for violations of the law.

#### SPECIAL ORDERED

Rep. Pantelakos moved that **HB 619-FN**, prohibiting images of a person's residence to be taken from the air, be made a Special Order for the next session day in the Regular Calendar order. Rep. Pantelakos spoke in favor.

#### LAIID ON THE TABLE

Rep. Cali-Pitts moved that **HB 619-FN**, prohibiting images of a person's residence to be taken from the air, be laid on the table. Adopted.

#### REGULAR CALENDAR - PART II (CONT'D)

**HB 673-FN**, requiring prosecution of a law enforcement officer for failure to enforce the crime of interference with custody. **INEXPEDIENT TO LEGISLATE.**

Rep. Brenda E. Grady for Criminal Justice and Public Safety: This bill would make it a class B felony for a state, county or local law enforcement officer to knowingly fail to enforce state law on interference with custody as defined in RSA 633:4. The majority of the committee believed that a class B felony was too severe a consequence for a police officer to suffer when dealing with custody arguments. Too many variables may be involved that influence the decision for a parent to withhold a child temporarily from custody. It was also believed that police officers may be pressured to make arrests simply to avoid criminal prosecution themselves. Vote 16-3. Committee report adopted.

**CACR 7**, relating to public education. Providing that the general court shall have the authority to define standards for public education, establish standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education. **INEXPEDIENT TO LEGISLATE.**

Rep. June M. Frazer for Education: This CACR would provide "that the General Court shall have the authority to define standards for public education, establish standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education." The committee noted that the contents of the bill had been rejected by the General Court several times in the past, as recently as March 2011. It was

argued at that time that “should future legislature choose to defund the public schools, funding them would force already overburdened property taxpayers to pay markedly higher taxes to maintain the quality of their schools.” Vote 14-4.

Committee report adopted.

**HB 119**, relative to voter registration. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gary B. Richardson for the Majority Election Law: This bill amends voter registration procedures. The committee amendment changes the voter registration form to conform to the definition of domicile contained in RSA 654:1. The amendment also removes references to laws relating to motor vehicle registration and licensing from the voter registration form. The amendment includes a provision requested by the minority that acknowledges that registering to vote may cause notification to be sent to the last place where the registrant formerly voted. Finally, the amendment retains language contained in current law acknowledging that knowingly providing false information to vote is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Vote 10-8.

Rep. Shawn N. Jasper for the Minority of Election Law: The minority takes exception to the portion of the bill which removes the notification to new voters that by declaring New Hampshire as their domicile they are subject to the laws of the state which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire driver's license within 60 days of becoming a resident. The committee has been provided with copies of the affidavit, which the Secretary of State has filed with the court in reference to the ongoing case of Hannah Rivers et al. v. State of New Hampshire, in which he reports on specific instances where new voters have experienced problems because they did not realize the consequences of registering to vote and one individual complained that they felt lied to and had they been fully informed they never would have registered; the individual felt “totally taken advantage of.” We should not ignore the fact that our laws do require certain things of people who decide to declare New Hampshire as their domicile; they do and potential voters should be informed of the most obvious of them. The minority recognizes that there is confusion about the difference between domicile and residency, but the simple truth is that one cannot claim that they can move their domicile to New Hampshire, but claim residency in another state. In his affidavit the Secretary of State states; “It cannot be that non-residents can somehow claim domicile for voting purposes only and be able to change the foundation of New Hampshire and its government by voting for its lawmakers and proposed constitutional amendments on the ballot.” The language the majority wants to remove does nothing to change the underlying law on which the statement is based, but it does allow others to mislead potential voters and cause the type of problems which the Secretary points out.

**Majority Amendment (0494h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Voter Registration. Amend RSA 654:7 to read as follows:

654:7 Voter Registration; Voter Registration Form.

I. Any person registering to vote shall be:

(a) At least 18 years of age on the day of the election; and

(b) A United States citizen; and

(c) Domiciled in the town or city in which the applicant is registering to vote and not otherwise disqualified to vote.

II. The applicant shall be required to produce appropriate proof of qualifications as provided in RSA 654:12 and fill out the form as prescribed in paragraph IV.

III. If an applicant is unable to provide the proof of qualifications as required in RSA 654:12, he or she may register by completing the necessary affidavits, pursuant to RSA 654:12, and completing the form in paragraph IV.

IV. A standard registration application form shall be used throughout the state. The registration form shall be no larger than 8 1/2 inches by 11 inches. The secretary of state shall prescribe the form of the voter registration form, which shall be in substantially the following form:

Date \_\_\_\_\_

**VOTER REGISTRATION FORM**

(Please print or type)

1. Name \_\_\_\_\_

Last

(suffix)

First

Full Middle Name

2. Domicile Address \_\_\_\_\_

Street	Ward Number
Town or City	Zip Code

3. Mailing Address if different than in 2 \_\_\_\_\_

Street	Ward Number
Town or City	Zip Code

4. Place and Date of Birth \_\_\_\_\_

Town or City	State
Date _____	

5. If a naturalized citizen, give name of court where and date when naturalized \_\_\_\_\_

6. Place last registered to vote \_\_\_\_\_

Town or City	Ward Number
Street	Ward Number

7. Name under which previously registered, if different from above \_\_\_\_\_

8. Party Affiliation (if any) \_\_\_\_\_

9. Driver's License Number \_\_\_\_\_ State \_\_\_\_\_

If you do not have a valid driver's license, provide the last four digits of your social security number \_\_\_\_\_

My name is \_\_\_\_\_. I am today registering to vote in the city/town of \_\_\_\_\_, New Hampshire.

I understand that to vote in this city/town, I must be at least 18 years of age, I must be a United States citizen, and I must be domiciled in this city/town.

***A domicile for voting purposes is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government. A domicile is that place, to which upon temporary absence, a person has the intention of returning.***

I understand that a person can claim only one state and one city/town as his or her domicile at a time. [A domicile is that place, to which upon temporary absence, a person has the intention of returning:] By registering or voting today, I am acknowledging that I am not domiciled or voting in any other state or any other city/town.

[In declaring New Hampshire as my domicile, I am subject to the laws of the state of New Hampshire which apply to all residents, including laws requiring a driver to register a motor vehicle and apply for a New Hampshire's driver's license within 60 days of becoming a resident.

In declaring New Hampshire as my domicile, I realize that I am not qualified to vote in the state or federal elections in another state.

If I have any questions as to whether I am entitled to vote in this city/town, I am aware that a supervisor of the checklist is available to address my questions or concerns.]

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above-stated city/town, and, if registering on election day, that I have not voted and will not vote at any other polling place this election. ***I acknowledge that by registering to vote in this jurisdiction, notification of this registration may be sent to the city/town where I last registered to vote.***

Date

Signature

In accordance with RSA 659:34, the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill modifies the voter registration form.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Jasper spoke against.

Rep. Gary Richardson spoke in favor and yielded to questions.

Rep. Burt requested a roll call; sufficiently seconded.

## YEAS 190 NAYS 149

### YEAS 190

#### BELKNAP

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

Huot, David

#### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

#### COOS

Coulombe, Gary  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

#### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Levesque, Melanie  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Beaulieu, Jane  
Campbell, David  
DiSilvestro, Linda  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
MacKay, Mariellen  
Nelson, Mary  
Rhodes, Brian  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Boisvert, Ronald  
Carroll, Douglas  
Gage, Ruth  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rokas, Ted  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

Booras, Efstathia  
Chandley, Shannon  
Gale, Sylvia  
Hackel, Paul  
Heden, Ruth  
Leishman, Peter  
McCloskey, David  
O'Flaherty, Tim  
Rosenwald, Cindy  
Soucy, Timothy  
Vaillancourt, Steve  
Woodbury, David

#### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Cahill, Michael
Cali-Pitts, Jacqueline	Cushing, Robert Jr	Emerson-Brown, Rebecca	Flockhart, Eileen
Heffron, Frank	Helmstetter, Barbara	Lovejoy, Patricia	Mann, Maureen
Moody, Marcia	Muns, Chris	Pantelakos, Laura	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Bixby, Peter	Burdwood, Greg	Burke, Rachel
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Grossman, Kenneth
Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Malloy, Dennis	Miller, David	Pelletier, Marsha	Perry, Robert
Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Spainhower, Dale	Spang, Judith	Stevens, Audrey	Verschueren, James
Wall, Janet	Ward, Kenneth		

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia	Tanner, Linda

**NAYS 149****BELKNAP**

Burchell, Richard	Comtois, Guy	Fields, Dennis	Fink, Charles
Flanders, Donald	Greemore, Robert Jr	Sylvia, Michael	Tilton, Franklin
Vadney, Herbert	Worsman, Colette		

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Nelson, Bill	Umberger, Karen	Wright, Donald

**CHESHIRE**

Hunt, John

**COOS**

Enman, Larry	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond
Ladd, Rick Jr	Reilly, Harold Sr	Shackett, Jeffrey	

**HILLSBOROUGH**

Barry, Richard	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Christiansen, Lars	Coffey, James	Culbert, Patrick
Daniels, Gary	Danielson, David	Flanagan, Jack	Gagne, Larry
Garcia, Michael	Gargas, Carolyn	Graham, John	Haefner, Robert
Hansen, Peter	Hikel, John	Hinch, Richard	Hopper, Gary
Infantine, William	Jasper, Shawn	Kurk, Neal	LeBrun, Donald
LeVasseur, Richard	Marston, Dick	McCarthy, Michael	Meaney, Richard
Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine	O'Brien, William
Ober, Lynne	Ober, Russell III	Palmer, Stephen	Parison, James
Pellegrino, Tony	Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew
Sanborn, Laurie	Sandblade, Emily	Straight, Philip	Stroud, Kathleen
Sweeney, Shawn	Takesian, Charlene	Ulery, Jordan	Villeneuve, Moe
Willette, Robert			

**MERRIMACK**

Hess, David	Hoell, J.R.	Kidder, David	Kotowski, Frank
Lockwood, Priscilla	McGuire, Carol	McGuire, Dan	Reed, Dennis
Smith, Todd	Walsh, Thomas IV		

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Charron, Gene	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Danais, Romeo	DeSimone, Debra	Devine, James
Duarte, Joe	Dumaine, Dudley	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Friel, William	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Hayes, Jack	Hodgdon, Bruce	Hoelzel, Kathleen
Itse, Daniel	Kappler, Lawrence	Khan, Aboul	Major, Norman
McKinney, Betsy	McMahon, Charles	Milz, David	O'Connor, John
Packard, Sherman	Peckham, Michele	Perkins, Amy	Perkins, Lawrence
Rice, Frederick	Sanders, Elisabeth	Schroader, Adam	Sedensky, John
St.James, Kevin	Sweeney, Joe	Sytek, John	Thompson, David
Tremblay, Stella	Tucker, Pamela	Waterhouse, Kevin	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven	Gray, James	Groen, Warren	Jones, Laura
Parsons, Robbie	Pitre, Joseph		

**SULLIVAN**

Grenier, James                      Smith, Steven

and the majority committee report was adopted and ordered to third reading.

**HB 448**, making changes to state representative districts. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary B. Richardson for Election Law: This bill seeks to redistrict Belknap, Hillsborough and Merrimack counties. The NH Supreme Court has ruled in clear and unequivocal language that the legislature may only reapportion once following the last decennial census. "As soon as the legislature has fulfilled its constitutional duty to reapportion once based upon the last federal census, it may not reapportion again until the next federal census." (Petition of Senator Clifton Below, 151 NH 135 (2004) issued June 22, 2004.) Some members of the committee urged that the bill be retained. The majority believes that the law is clear and that retention of the bill would only encourage the false hopes of those aggrieved by the current redistricting plan that some alternative plan can be adopted before the next census. As much as some may object to the current redistricting plan, the Supreme Court found it constitutional. We are a nation of laws and must follow the law even when we disagree with it. Vote 11-6.

Rep. Peter Schmidt spoke against and yielded to questions.

**(Rep. Kaen in the Chair)**

Rep. Gary Richardson spoke in favor.

Rep. Takesian spoke against and requested a roll call; sufficiently seconded.

**YEAS 282 NAYS 53**

**YEAS 282****BELKNAP**

Burchell, Richard	Fields, Dennis	Flanders, Donald	Gulick, Ruth
Holmes, Stephen	Huot, David	Raymond, Ian	Sylvia, Michael
Tilton, Franklin	Worsman, Colette		

**CARROLL**

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Cordelli, Glenn	Lavender, Tom	McConkey, Mark	Nelson, Bill
Ticehurst, Susan	Umberger, Karen	White, Syndi	Wright, Donald

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Hunt, John	Ley, Douglas

Mann, John  
Robertson, Timothy  
Weber, Lucy

Parkhurst, Henry  
Sad, Tara

Phillips, Larry  
Shepardson, Marjorie

Roberts, Kris  
Tatro, Bruce

## COOS

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

Rappaport, Laurence  
Thomas, Yvonne

## GRAFTON

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Nordgren, Sharon  
Smith, Suzanne

Bailey, Brad  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

## HILLSBOROUGH

Backus, Robert  
Boisvert, Ronald  
Byron, Frank  
Coffey, James  
DiSilvestro, Linda  
Garcia, Michael  
Graham, John  
Hansen, Peter  
Hopper, Gary  
Jeudy, Jean  
LeVasseur, Richard  
McCarthy, Michael  
Murphy, Kelleigh  
O'Brien, William  
Pellegrino, Tony  
Renzullo, Andrew  
Sanborn, Laurie  
Soucy, Timothy  
Sweeney, Shawn  
Walsh, Robert Jr  
Woodbury, David

Barry, Richard  
Booras, Efstathia  
Campbell, David  
Connor, Evelyn  
Flanagan, Jack  
Gargas, Carolyn  
Hackel, Paul  
Harriott-Gathright, Linda  
Infantine, William  
Kurk, Neal  
MacKay, Mariellen  
McNamara, Richard  
Nelson, Mary  
O'Flaherty, Tim  
Peterson, Lenette  
Rhodes, Brian  
Sandblade, Emily  
Spratt, Stephen  
Ulery, Jordan  
Warden, Mark

Beaulieu, Jane  
Brown, Pamela  
Cebrowski, John  
Daniels, Gary  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Hikel, John  
Jack, Martin  
LeBrun, Donald  
Manley, Jonathan Sr  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Porter, Marjorie  
Rokas, Ted  
Shattuck, Gilman  
Straight, Philip  
Vail, Suzanne  
Willette, Robert

Boehm, Ralph  
Burt, John  
Chandley, Shannon  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Hinch, Richard  
Jasper, Shawn  
Leishman, Peter  
Marston, Dick  
Murphy, Keith  
O'Brien, Michael Sr  
Parison, James  
Pratt, Calvin  
Rosenwald, Cindy  
Smith, Timothy  
Stroud, Kathleen  
Villeneuve, Moe  
Winters, Joel

## MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Frambach, Mary  
Hess, David  
Karrick, David Jr  
Lockwood, Priscilla  
Moffett, Howard  
Rice, Chip  
Shurtleff, Stephen  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Kelly, Sally  
MacKay, James  
Patten, Dick  
Richardson, Gary  
Smith, Todd  
Walsh, Thomas IV

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Hoell, J.R.  
Kidder, David  
McGuire, Carol  
Ratzki, Mario  
Schamberg, Thomas  
Tilton, Joy  
Walz, Mary Beth

Bouchard, Candace  
Ebel, Karen  
Henle, Paul  
Hunt, Jane  
Kotowski, Frank  
McGuire, Dan  
Reed, Dennis  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

## ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Cahill, Michael  
Comerford, Timothy  
DeSimone, Debra

Allen, Mary  
Birdsell, Regina  
Cali-Pitts, Jacqueline  
Copeland, Timothy  
Duarte, Joe

Andrews-Ahearn, E. Elaine  
Borden, David  
Charron, Gene  
Cushing, Robert Jr  
Dumaine, Dudley

Baldasaro, Alfred  
Briden, Steven  
Chirichiello, Brian  
Dana, Romeo  
Elliott, Robert

Ferrante, Beverly  
Garcia, Bianca  
Harris, Jeffrey  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Muns, Chris  
Peckham, Michele  
Sanders, Elisabeth  
Sherman, Thomas  
Thompson, David  
Weyler, Kenneth

Fesh, Robert  
Garcia, Marilinda  
Heffron, Frank  
Itse, Daniel  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Scarlottio, Joe  
St.James, Kevin  
Tremblay, Stella

Flockhart, Eileen  
Gordon, Richard  
Helmstetter, Barbara  
Kappler, Lawrence  
McMahon, Charles  
Packard, Sherman  
Perkins, Lawrence  
Schroadtter, Adam  
Sweeney, Joe  
Tucker, Pamela

Friel, William  
Hagan, Joseph  
Hodgdon, Bruce  
Khan, Aboul  
Milz, David  
Pantelakos, Laura  
Rice, Frederick  
Sedensky, John  
Sytek, John  
Ward, Gerald

### STRAFFORD

Baber, William  
Grassie, Anne  
Jones, Laura  
Pitre, Joseph  
Spainhower, Dale

Beaudoin, Steven  
Gray, James  
Malloy, Dennis  
Rogers, Rose Marie  
Wall, Janet

Burdwood, Greg  
Groen, Warren  
Parsons, Robbie  
Rollo, Deanna  
Ward, Kenneth

Burke, Rachel  
Hubbard, Pamela  
Pelletier, Marsha  
Smith, Marjorie

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
Sweeney, Cynthia

Gagnon, Raymond  
Rollins, Skip  
Tanner, Linda

Grenier, James  
Schmidt, Andrew

Irwin, Virginia  
Smith, Steven

### NAYS 53

### BELKNAP

DiMartino, Lisa

Fink, Charles

Greemore, Robert Jr

Vadney, Herbert

### CARROLL

None

### CHESHIRE

Butynski, William

Johnsen, Gladys

Weed, Charles

### COOS

Coulombe, Gary

Enman, Larry

### GRAFTON

Lovett, Sid

Reilly, Harold Sr

Townsend, Charles

### HILLSBOROUGH

Carroll, Douglas  
Grady, Brenda  
Levesque, Melanie  
Schmidt, Janice  
Vaillancourt, Steve

Christiansen, Lars  
Haefner, Robert  
McCloskey, David  
Sullivan, Daniel  
Williams, Kermit

Culbert, Patrick  
Heden, Ruth  
Ober, Lynne  
Sullivan, Peter

Gale, Sylvia  
Knowles, Mary Ann  
Ober, Russell III  
Takesian, Charlene

### MERRIMACK

Carson, Clyde

Rogers, Katherine

### ROCKINGHAM

Burtis, Elizabeth  
Major, Norman  
Waterhouse, Kevin

Emerick, J. Tracy  
Mann, Maureen  
Wazlaw, Brian

Emerson-Brown, Rebecca  
Moody, Marcia  
Whittemore, Lisa

Griffin, Mary  
Till, Mary

### STRAFFORD

Bixby, Peter  
Miller, David  
Stevens, Audrey

Ginsburg, Philip  
Perry, Robert

Grossman, Kenneth  
Schmidt, Peter

Horrigan, Timothy  
Spang, Judith



## SULLIVAN

Gottling, Suzanne

and the committee report was adopted.

**HB 599-FN**, relative to establishing a single liquor commissioner. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy M. Weber for Executive Departments and Administration: This bill reduces the number of liquor commissioners from three to one, bringing the liquor commission into line with the structure of most other departments. The amendment made two changes to the original bill. The first broadened the experience required to "significant business and retail experience." The majority believes this provides sufficient flexibility to allow a larger pool of applicants, but makes it clear the degree of experience and professionalism required. The second change clarified that existing language barring any interest in the liquor or beverage business meant any financial interest. Vote 16-2.

#### Amendment (0603h)

Amend the bill by replacing section 1 with the following:

1 Liquor Commission. Amend RSA 176:1 to read as follows:

176:1 Commission. There shall be a state liquor commission ~~[consisting of 3 members]~~ *under the executive direction of a liquor commissioner, who shall also be known as the chairman of the liquor commission*, appointed by the governor with the consent of the council. ~~[Not more than 2 members shall belong to the same political party. Each member]~~ *The commissioner shall have significant business management and retail experience and shall complete a criminal history records check prior to confirmation by the council. The liquor commissioner* shall hold office for a term of 6 years. If a vacancy shall occur ~~[in the commission]~~, it shall be filled for the remainder of the term. ~~[Any or all of the commissioners]~~ *The commissioner* may be removed by the governor and council for cause.

Amend the bill by replacing section 3 with the following:

3 Requirements. Amend RSA 176:4 to read as follows:

176:4 Requirements. The ~~[members of the commission]~~ *commissioner* shall devote ~~[their]~~ *his or her* entire time to the service of the commission. ~~[No member of the commission]~~ *The commissioner* shall ~~[be directly or indirectly interested]~~ *not have any financial interest, direct or indirect*, in the liquor or beverage business. The compensation and expenses of the ~~[commissioners]~~ *commissioner* and the expenses of the administration of this chapter shall be paid by the state on the warrant of the governor with the approval of the council.

Amendment adopted.

Committee report adopted and ordered to third reading.

Rep. Mary Nelson notified the Clerk that she wished to be recorded as opposed to the passage of **HB 599-FN**, as amended.

**HB 610-FN**, relative to attorney's fees and costs in an action against a governmental unit for false arrest. **INEXPEDIENT TO LEGISLATE.**

Rep. Peter M. Sullivan for Judiciary: This bill appears to be an imperfect solution searching for a non-existent problem. Other than a few anecdotal accounts, the committee received no evidence that false arrests are an endemic problem in New Hampshire. This legislation could potentially have the unintended consequences of encouraging litigation and discouraging law enforcement officers from making appropriate arrests. Existing state and federal law contains appropriate remedies for false arrest, and these have served our state well. Vote 15-1.

Committee report adopted.

**HB 670-FN**, relative to marital masters. **INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for Judiciary: This bill raises the same concerns in the same language as HB 648. However, this bill contains language mandating the appointment of a new Coos County marital master. Both the committee and the judicial branch felt that this mandate ran afoul of the roles of separate branches of government. The committee received and accepted clear assurances from judicial branch personnel that it is addressing Coos County's concerns. Vote 15-1.

Committee report adopted.

**HB 178-FN-L**, relative to binding arbitration in public labor relations disputes. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Christopher R. Andrews for the Majority of Labor, Industrial and Rehabilitative Services: This bill was an attempt by the sponsor to alleviate the endless cycle of failed negotiations with respect to ratifying a collective bargaining agreement. A subcommittee reviewed the report authored in 2011 as well as heard testimony from stake holders. While it's evident that a concern may exist as we were furnished anecdotal evidence, the subcommittee was in consensus that we heard no evidence with respect to when and or why negotiations do not succeed past the current process which would warrant adoption of the proposal. The subcommittee unanimously agreed to propose that two recommendations from the 2011 report move forward, requiring the PELRB to maintain on their website a training program with respect to NH RSA and Rules governing collective bargaining which would allow all parties to have a clear understanding of process and timeline, further the PELRB would be required to track and maintain a database of the disposition of collective bargaining agreements following the vote track and maintain a database of the disposition of collective bargaining agreements following the vote of the local legislative body. This report would be furnished to the Speaker of the House and Senate President in order to analyze future data to better understand where problems may arise from the current process. It was felt that we do not currently have enough hard evidence to make any substantive changes to current RSA to be of benefit to all parties. Vote 18-2.

Rep. Charles F. Weed for the Minority of Labor, Industrial and Rehabilitative Services: The minority is disappointed that the majority has neglected the original intent of the bill as filed to fix what is broken in the impasse procedure of RSA 273a. The policy of getting more evidence about expired contracts is a notable goal. However, there was lack of evidence of recurring endless negotiations resulting from the impasse procedure that terminates in an unaccepted fact finder report. The "one size fits all" impasse procedure in situations where the final contract does not go to the voters sometimes leads to a negotiating process without an end.

#### Majority Amendment (0623h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to public employer collective bargaining agreements.

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Public Employer Labor Relations; Public Employer Labor Relations Board.

Amend RSA 273-A:2 by inserting after paragraph VIII the following new paragraph:

IX. The board shall develop, post, and maintain on its website training to educate negotiating parties as to applicable laws and rules and the skills that contribute to effective collective bargaining.

2 New Paragraph; Records and Reports. Amend RSA 273-A:16 by inserting after paragraph IV the following new paragraph:

V. Within 14 days after a legislative body votes on a collective bargaining agreement or a fact finding report, the result of such vote shall be reported by the public employer to the board, which shall maintain a record of such information and provide an annual summary report to the speaker of the house of representatives and the senate president.

3 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill requires the public employee labor relations board to:

I. Post online training for collective bargaining.

II. Maintain a record how political subdivisions vote on collective bargaining agreements and provide the legislature with an annual report.

Rep. Burrige requested a roll call; not sufficiently seconded.

Majority committee amendment adopted.

Majority committee report adopted and ordered to third reading.

#### **HB 501-FN, relative to the minimum wage. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sally H. Kelly for the Majority of Labor, Industrial and Rehabilitative Services: New Hampshire's original minimum wage statute, enacted in 1949, began a tradition of providing for a state minimum wage. In 2011 legislation was enacted which removed the New Hampshire minimum wage language, automatically defaulting New Hampshire to the federal minimum wage. Some of those voting in the majority struggled with passing language that did not increase the minimum wage; in the end the majority knows restoring the New Hampshire minimum wage at \$7.25 per hour is a positive first step but clearly more work needs to be done to help these low end wage earners. Vote 15-5.

Rep. Gary L. Daniels for the Minority of Labor, Industrial and Rehabilitative Services: The minority consists of those who believe that a business knows better than government what that business can afford to pay someone, and one who wanted an increased minimum wage, which the committee rejected.

### Majority Amendment (0658h)

Amend the title of the bill by replacing it with the following:

AN ACT instituting a state minimum hourly rate.

Amend the bill by replacing all after the enacting clause with the following:

1 Minimum Hourly Rate. Amend the introductory paragraph of RSA 279:21 to read as follows:

279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than **\$7.25 or** that set forth in the federal minimum wage law, as amended. Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than 45 percent of the applicable minimum wage. If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum wage for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby shall be subject to the following exceptions:

2 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill establishes a state minimum hourly wage.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Weed offered floor amendment (0824h)

### Floor Amendment (0824h)

Amend the bill by replacing all after the enacting clause with the following:

1 Minimum Hourly Rate. Amend the introductory paragraph of RSA 279:21 to read as follows:

279:21 Minimum Hourly Rate. Unless otherwise provided by statute, no person, firm, or corporation shall employ any employee at an hourly rate lower than **\$7.75 or** that set forth in the federal minimum wage law, as amended. Tipped employees of a restaurant, hotel, motel, inn or cabin, who customarily and regularly receive more than \$30 a month in tips directly from the customers will receive a base rate from the employer of not less than 45 percent of the applicable minimum wage. If an employee shows to the satisfaction of the commissioner that the actual amount of wages received at the end of each pay period did not equal the minimum wage for all hours worked, the employer shall pay the employee the difference to guarantee the applicable minimum wage. The limitations imposed hereby shall be subject to the following exceptions:

Reps. Weed, Robertson and Andrew White spoke in favor.

Rep. Cahill spoke in favor and yielded to questions.

Rep. Infantine spoke against, yielded to questions and requested a roll call; sufficiently seconded.

### YEAS 152 NAYS 182

#### YEAS 152

#### BELKNAP

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

Huot, David

#### CARROLL

Butler, Edward

Ticehurst, Susan

White, Syndi

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Shepardson, Marjorie

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Tatro, Bruce

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

**COOS**

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Aguiar, James  
Ford, Susan  
Mulholland, Catherine  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Nordgren, Sharon

Cooney, Mary  
Lovett, Sid  
Pastor, Beatriz

Doolan, Ralph Jr  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Christiansen, Lars  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Leishman, Peter  
McNamara, Richard  
Rokas, Ted  
Soucy, Timothy  
Vail, Suzanne

Booras, Efstathia  
DiSilvestro, Linda  
Gorman, Mary  
Heden, Ruth  
Levesque, Melanie  
Nelson, Mary  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Brown, Pamela  
Gage, Ruth  
Hackel, Paul  
Jack, Martin  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Carroll, Douglas  
Gale, Sylvia  
Hansberry, Daniel  
Jeudy, Jean  
McCloskey, David  
Rhodes, Brian  
Smith, Timothy  
Sullivan, Peter  
Woodbury, David

**MERRIMACK**

Andrews, Christopher  
Frambach, Mary  
Hirsch, Geoffrey  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Frazer, June  
Hunt, Jane  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Burns, Scott  
French, Barbara  
Karrick, David Jr  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Davis, Frank  
Gile, Mary  
Kelly, Sally  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

**ROCKINGHAM**

Allen, Mary  
Burtis, Elizabeth  
Cushing, Robert Jr  
Helmstetter, Barbara  
Pantelakos, Laura  
Ward, Gerald

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Emerson-Brown, Rebecca  
Mann, Maureen  
Perkins, Lawrence  
Wazlaw, Brian

Borden, David  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Moody, Marcia  
Thompson, David

Briden, Steven  
Copeland, Timothy  
Heffron, Frank  
Muns, Chris  
Till, Mary

**STRAFFORD**

Baber, William  
Ginsburg, Philip  
Hubbard, Pamela  
Rogers, Rose Marie  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

Burdwood, Greg  
Grossman, Kenneth  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Burke, Rachel  
Horrigan, Timothy  
Perry, Robert  
Smith, Marjorie

**SULLIVAN**

Cloutier, John  
Schmidt, Andrew

Irwin, Virginia  
Tanner, Linda

O'Hearne, Andrew

Rollins, Skip

**NAYS 182****BELKNAP**

Burchell, Richard  
Greemore, Robert Jr  
Worsman, Colette

Fields, Dennis  
Sylvia, Michael

Fink, Charles  
Tilton, Franklin

Flanders, Donald  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
Wright, Donald

Buco, Thomas  
McConkey, Mark

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Umberger, Karen

**CHESHIRE**

Emerson, Susan

Hunt, John

Roberts, Kris

Sad, Tara

**COOS**Coulombe, Gary  
Rideout, Leon

Enman, Larry

Rappaport, Laurence

Richardson, Herbert

**GRAFTON**Almy, Susan  
Gionet, Edmond  
Lauer, Linda  
Smith, SuzanneBailey, Brad  
Harding, Laurie  
Piper, Wendy  
White, AndrewBradley, Lester  
Higgins, Patricia  
Reilly, Harold SrBrown, Rebecca  
Ladd, Rick Jr  
Shackett, Jeffrey**HILLSBOROUGH**Barry, Richard  
Burt, John  
Chandlee, Shannon  
Daniels, Gary  
Garcia, Michael  
Haefner, Robert  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Rosenwald, Cindy  
Stroud, Kathleen  
Vaillancourt, Steve  
Winters, JoelBeaulieu, Jane  
Byron, Frank  
Coffey, James  
Danielson, David  
Gargas, Carolyn  
Hammond, Jill  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Palmer, Stephen  
Porter, Marjorie  
Sanborn, Laurie  
Sweeney, Shawn  
Villeneuve, MoeBoehm, Ralph  
Campbell, David  
Connor, Evelyn  
Flanagan, Jack  
Grady, Brenda  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
O'Brien, William  
Parison, James  
Pratt, Calvin  
Sandblade, Emily  
Takesian, Charlene  
Warden, MarkBoisvert, Ronald  
Cebrowski, John  
Culbert, Patrick  
Gagne, Larry  
Graham, John  
Hikel, John  
Knowles, Mary Ann  
MacKay, Mariellen  
Murphy, Keith  
O'Flaherty, Tim  
Pellegriano, Tony  
Renzullo, Andrew  
Straight, Philip  
Ulery, Jordan  
Willette, Robert**MERRIMACK**Alicea, Caroletta  
Ebel, Karen  
Kotowski, Frank  
Reed, DennisBouchard, Candace  
Henle, Paul  
Lockwood, Priscilla  
Smith, ToddCarey, Lorrie  
Hess, David  
McGuire, Carol  
Walsh, Thomas IVCarson, Clyde  
Hoell, J.R.  
McGuire, Dan**ROCKINGHAM**Abrami, Patrick  
Charron, Gene  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Sytek, John  
Weyler, KennethBaldasaro, Alfred  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
Packard, Sherman  
Sanders, Elisabeth  
Sherman, Thomas  
Tremblay, Stella  
Whittemore, LisaBick, Patrick  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Hodgdon, Bruce  
Khan, Aboul  
McMahon, Charles  
Peckham, Michele  
Scarlott, Joe  
St.James, Kevin  
Tucker, PamelaBirdsell, Regina  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Milz, David  
Perkins, Amy  
Schroadter, Adam  
Sweeney, Joe  
Waterhouse, Kevin**STRAFFORD**Beaudoin, Steven  
Malloy, Dennis  
Wall, JanetGray, James  
Parsons, RobbieGroen, Warren  
Pitre, JosephJones, Laura  
Spainhower, Dale

**SULLIVAN**

Gagnon, Raymond	Gottling, Suzanne	Grenier, James	Lefebvre, Benjamin
Smith, Steven	Sweeney, Cynthia		

and floor amendment (0824h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Dan McGuire spoke against.

Rep. Sally Kelly spoke in favor.

Rep. Andrew White requested a roll call; sufficiently seconded.

**YEAS 200 NAYS 133****YEAS 200****BELKNAP**

DiMartino, Lisa	Gulick, Ruth	Huot, David	Raymond, Ian
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**CARROLL**

Buco, Thomas	Butler, Edward	Lavender, Tom	Ticehurst, Susan
White, Syndi			

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy	Weed, Charles	

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Doolan, Ralph Jr	Ford, Susan	Friedrich, Carol
Harding, Laurie	Higgins, Patricia	Lauer, Linda	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Christiansen, Lars
Connor, Evelyn	DiSilvestro, Linda	Gage, Ruth	Gale, Sylvia
Goley, Jeffrey	Gorman, Mary	Grady, Brenda	Hackel, Paul
Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda	Heden, Ruth
Infantine, William	Jack, Martin	Jeady, Jean	Knowles, Mary Ann
Leishman, Peter	Levesque, Melanie	MacKay, Mariellen	Manley, Jonathan Sr
McCloskey, David	McNamara, Richard	Nelson, Mary	O'Brien, Michael Sr
Porter, Marjorie	Rhodes, Brian	Rokas, Ted	Rosenwald, Cindy
Schmidt, Janice	Shattuck, Gilman	Smith, Timothy	Soucy, Timothy
Spratt, Stephen	Sullivan, Daniel	Sullivan, Peter	Vail, Suzanne
Walsh, Robert Jr	Williams, Kermit	Winters, Joel	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara

Gile, Mary  
Karrick, David Jr  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Henle, Paul  
Kelly, Sally  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

Hirsch, Geoffrey  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Hunt, Jane  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

### ROCKINGHAM

Allen, Mary  
Burtis, Elizabeth  
Cushing, Robert Jr  
Heffron, Frank  
Moody, Marcia  
Perkins, Amy  
Thompson, David  
Whittemore, Lisa

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Elliott, Robert  
Helmstetter, Barbara  
Muns, Chris  
Perkins, Lawrence  
Till, Mary

Borden, David  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Sherman, Thomas  
Ward, Gerald

Briden, Steven  
Copeland, Timothy  
Flockhart, Eileen  
Mann, Maureen  
Peckham, Michele  
Sweeney, Joe  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Ginsburg, Philip  
Hubbard, Pamela  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Ward, Kenneth

Burdwood, Greg  
Grossman, Kenneth  
Miller, David  
Rollo, Deanna  
Spang, Judith

Burke, Rachel  
Horrigan, Timothy  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
O'Heame, Andrew  
Tanner, Linda

Grenier, James  
Rollins, Skip

### NAYS 133

### BELKNAP

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

Flanders, Donald  
Tilton, Franklin

### CARROLL

Ahlgren, Christopher  
Nelson, Bill

Chandler, Gene  
Umberger, Karen

Cordelli, Glenn  
Wright, Donald

McConkey, Mark

### CHESHIRE

Hunt, John

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad  
Reilly, Harold Sr

Bradley, Lester  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Garcia, Michael  
Hansen, Peter  
Kurk, Neal

Boehm, Ralph  
Cebrowski, John  
Danielson, David  
Gargas, Carolyn  
Hikel, John  
LeBrun, Donald

Boisvert, Ronald  
Coffey, James  
Flanagan, Jack  
Graham, John  
Hinch, Richard  
LeVasseur, Richard

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Haefner, Robert  
Jasper, Shawn  
Marston, Dick

McCarthy, Michael  
 Notter, Jeanine  
 Parison, James  
 Renzullo, Andrew  
 Stroud, Kathleen  
 Vaillancourt, Steve

Meaney, Richard  
 O'Brien, William  
 Pellegrino, Tony  
 Sanborn, Laurie  
 Sweeney, Shawn  
 Villeneuve, Moe

Murphy, Keith  
 O'Flaherty, Tim  
 Peterson, Lenette  
 Sandblade, Emily  
 Takesian, Charlene  
 Warden, Mark

Murphy, Kelleigh  
 Palmer, Stephen  
 Pratt, Calvin  
 Straight, Philip  
 Ulery, Jordan  
 Willette, Robert

### MERRIMACK

Hess, David  
 McGuire, Carol  
 Walsh, Thomas IV

Hoell, J.R.  
 McGuire, Dan

Kotowski, Frank  
 Reed, Dennis

Lockwood, Priscilla  
 Smith, Todd

### ROCKINGHAM

Abrami, Patrick  
 Charron, Gene  
 Devine, James  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Harris, Jeffrey  
 Kappler, Lawrence  
 McMahon, Charles  
 Rice, Frederick  
 Sedensky, John  
 Tucker, Pamela

Baldasaro, Alfred  
 Comerford, Timothy  
 Duarte, Joe  
 Fesh, Robert  
 Gordon, Richard  
 Hodgdon, Bruce  
 Khan, Aboul  
 Milz, David  
 Sanders, Elisabeth  
 St. James, Kevin  
 Waterhouse, Kevin

Bick, Patrick  
 Danais, Romeo  
 Dumaine, Dudley  
 Friel, William  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Major, Norman  
 O'Connor, John  
 Scarlotto, Joe  
 Sytek, John  
 Weyler, Kenneth

Birdsell, Regina  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Hagan, Joseph  
 Itse, Daniel  
 McKinney, Betsy  
 Packard, Sherman  
 Schroadter, Adam  
 Tremblay, Stella

### STRAFFORD

Beaudoin, Steven  
 Parsons, Robbie

Gray, James  
 Pitre, Joseph

Groen, Warren

Jones, Laura

### SULLIVAN

Smith, Steven

and the majority committee report was adopted and ordered to third reading.

### SPECIAL ORDERED

Without objection, the Speaker made the remainder of bills on today's calendar Special Orders for the next session day.

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly Enrolled Senate Bill numbered 40.  
 Rep. Schuett, Sen. Prescott for the Committee

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, March 20, 2013 at 10:00 a.m.  
 Adopted.

### LATE SESSION

#### Third reading and final passage

**HB 433**, relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program.

**HB 278**, relative to voluntary installation of fire suppression sprinklers.

**HB 367**, relative to the municipal bond bank reserve process.

**HB 400**, relative to funding agreements issued by life insurance companies.

**HB 401**, relative to property and casualty insurers under the risk-based capital law.



- HB 489-FN**, relative to the New Hampshire medical malpractice joint underwriting association.
- HB 511-FN**, relative to insurance holding companies.
- HB 526-FN**, relative to termination of activities and dissolution of the association created under RSA 404-G.
- HB 559**, relative to the general banking laws of the state.
- HB 560**, repealing the board of trust company incorporation.
- HB 640**, relative to the standard valuation law.
- HB 450-FN**, relative to the annulment of criminal records.
- HB 629-FN**, relative to the criteria for approving and calculating school building aid grants.
- HB 183**, relative to processing absentee ballots.
- HB 265**, relative to procedures by absentee voters.
- HB 352**, relative to sending checklists to the state archives.
- HB 234**, relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training.
- HB 334-FN**, requiring pharmacy interns to register with the pharmacy board.
- HB 342-FN**, relative to reporting of compensation paid to retired members of the retirement system.
- HB 353**, relative to the regulation of private investigators and security guards.
- HB 313**, relative to the regulation of the compounding of drugs by pharmacists.
- HB 375**, requiring certain health care organizations to report to the department of health and human services regarding implementation of New Hampshire's 10-year mental health plan.
- HB 528**, relative to support and care costs for children with disabilities.
- HB 556**, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire.
- HB 636**, relative to the waitlist for community mental health services.
- HB 373**, establishing a right of discovery to a carrier's investigation of claims in workers' compensation cases.
- HB 414**, relative to privacy in the workplace.
- HB 546**, relative to medical examinations under workers' compensation.
- HB 363**, establishing a committee to study the form of the oath taken by members of the general court.
- HB 410**, establishing a commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B.
- HB 139**, relative to the time towns that have adopted official ballot voting have to approve bonding in solid waste management districts.
- HB 204-FN-L**, relative to the removal of social security and other numbers from registry of deeds documents available on the Internet.
- HB 429**, relative to service of writs against cities.
- HB 506**, relative to certain time periods for adoption and amendment of town codes and ordinances.
- HB 522**, relative to duties of town treasurers.
- HB 634**, relative to water resource management and protection plans in municipal master plans.
- HB 655-FN**, relative to the collection of the amount of the property tax deferral for the elderly or disabled upon sale of the property.
- HB 393**, relative to effluent limitations with regard to nitrogen and phosphorus.
- HB 513**, relative to the shoreland protection act.
- HB 516**, establishing a committee to study the overlap of federal, state, and local regulation relative to environmental issues.
- SB 57**, relative to approval of the project proposed by the Town of Alstead for the lower Warren Brook Restoration project, establishing a commission to determine the appropriate use of flood damaged property, and repealing a commission established in 2006 to determine the appropriate use of property damaged in the October 2005 floods.
- HB 374**, relative to electric utility investment in distributed energy resources.
- HB 517**, relative to the incidental combustion of untreated wood at certain municipal transfer stations.
- HB 391-FN**, establishing a committee to study options for mitigation of damages associated with highway noise.
- HB 581-FN-L**, relative to recovering moneys from a neighboring state for mitigation of flooding.
- HB 598**, relative to the reasonable compensation deduction under the business profits tax.
- HB 676-FN-A-L**, extending the Coos county job creation tax credit.
- HB 472**, relative to residential units in rooming houses.

**HB 153**, prohibiting the designation of industrial hemp as a controlled substance.

**HB 247-FN**, increasing compensation for wrongful incarceration.

**HB 453**, repealing the prospective repeal of the information and analysis center.

**HB 161**, relative to school district policies on health and sex education.

**HB 486-FN-A**, making an appropriation for the purpose of paying residential care providers at the Chase Home for Children.

**HB 118**, providing immunity from criminal prosecution for seeking medical assistance with an emergency drug or alcohol overdose event.

**HB 583**, relative to proceedings of medical injury claims screening panels.

**HB 362**, banning corn-based ethanol as an additive to gasoline sold in New Hampshire.

**HB 146**, increasing the speed limit on a portion of I-93 to 70 miles per hour.

**HB 314**, raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance.

**HJR 1**, directing the joint legislative historical committee to acquire and display a portrait of suffragist Marilla Marks Ricker.

**SB 1-FN-A**, increasing the research and development tax credit against the business profits tax.

**HB 551**, relative to the composition and duties of the task force on work and family.

**HB 554**, allowing parents to agree on college contributions.

**HB 664-FN**, relative to the New Hampshire vaccine association.

**HB 668-FN**, relative to group and individual health insurance market rules.

**HB 442**, prohibiting residency restrictions for registered sex offenders and offenders against children.

**HB 119**, relative to voter registration.

**HB 599-FN**, relative to establishing a single liquor commissioner.

**HB 178-FN-L**, relative to public employer collective bargaining agreements.

**HB 501-FN**, instituting a state minimum hourly rate.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Adopted.

The House recessed at 5:28 p.m.

### RECESS

(Rep. Weber in the Chair)

### RESOLUTION

Rep. Gary Richardson offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 199 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.  
Adopted.

### INTRODUCTION OF SENATE BILL

#### First, second reading and referral

**SB 199**, authorizing the attorney general to join the settlement of accrued claims relating to the non-participating tobacco manufacturers adjustment disputes for 2003 to 2011 and the 2012 non-participating tobacco manufacturers adjustment. (Judiciary)

### RECESS

### COMMITTEE ASSIGNMENTS

The Speaker made the following changes to committee assignments:

Rep. Mariellen MacKay off the Committee on Children and Family Law and on the Committee on Health, Human Services and Elderly Affairs.

Rep. Pam Brown on the Committee on Children and Family Law.

### RECESS

**(Rep. Shurtleff in the Chair)**

**ENROLLED BILL AMENDMENT**

**SB 57**, relative to approval of the project proposed by the Town of Alstead for the lower Warren Brook Restoration project, establishing a commission to determine the appropriate use of flood damaged property, and repealing a commission established in 2006 to determine the appropriate use of property damaged in the October 2005 floods. (Amendment printed SJ 3-14-13)  
Adopted.

**SENATE MESSAGE**

**CONCURRENCE WITH AMENDMENT**

**SB 1-FN-A**, increasing the research and development tax credit against the business profits tax and relative to the report of the commissioner of resources and economic development on the research and development tax credit.

**RECESS**

**(Rep. Kaen in the Chair)**

**ENROLLED BILL REPORT**

The Committee on Enrolled Bills has examined and found correctly Enrolled Senate Bill numbered 1.  
Rep. Shurtleff, Sen. Odell for the Committee

**RECESS**

**(Speaker Norelli in the Chair)**

Rep. Kaen moved that the House adjourn.  
Adopted.

## HOUSE JOURNAL No. 11

Wednesday, March 20, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

God of fresh starts and new beginnings, we praise You for this first day of Spring. Snow and slush may be underfoot, but longer days and the promise of new life lie just beyond the horizon. We gather on this morning as a diversity of ages, tax brackets, educational and faith backgrounds, racial heritages, political philosophies and sexual orientations. But, we gather united in the spirit of hope. Make us channels of that hope for the people of New Hampshire as we gather today to do the work before us. Let our work bring hope to the lives of our children, whose financial and economic futures are more fragile than our own. Let our work bring hope to those who suffer from mental illness or poverty who work but can't pay the mortgage, who live in fear of violence. May we live our truths today without belittling the realities that others express. May our debates today invite creativity and not instill rancor. May what we do today please You and may we leave at the end of this Session with the knowledge that we worked not merely as rivals, but as a team of rivals all committed to one goal. Today, O God we remember and honor the life of a former Representative, the Honorable Ashton Welch of Concord, who died last week. Be, we pray, with his family and friends. Be with those in this Chamber who are ill or who grieve. Be, we pray, with our families and our loved ones and especially with those who know no love. In Your Holy name we pray. Amen.

Representative Joy Tilton, member from Northfield, and Representative William Butynski, member from Hinsdale, led the Pledge of Allegiance.

Representative Mary Griffin, member from Windham, led the singing of the National Anthem.

### LEAVES OF ABSENCE

Reps. Ronald Belanger, Bishop, Lefebvre, Massimilla, Amy Perkins and Carol Williams, the day, illness.

Reps. Azarian, Bailey, Richard Eaton, Hess, Ketel, Lundgren, Mullen, Murotake, Myler, Michael O'Brien, Oligny, Reed, Frederick Rice, Rokas and Kathleen Souza, the day, important business.

Reps. Hayes and Gary Hopper, the day, illness in the family.

### INTRODUCTION OF GUESTS

Christopher Abrami and Susan Denopolis, son and friend of Rep. Abrami. Fourth grade students from Lincoln Street Elementary School, guests of the Exeter Delegation. Nayeli Hernandez, guest of Rep. Crawford. Reece Perkins, guest of Rep. Wright. Honorable Jackie Cilley, guest of the House.

Sophia Adams and Denae Hatch, students at Plymouth Regional High School, Pages for the day.

### CONSENT CALENDAR

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

Consent Calendar adopted.

### **HB 202-FN, relative to liquor licenses for inns. OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward A. Butler for Commerce and Consumer Affairs: Liquor licenses for bed and breakfast businesses have not been accessible primarily because of the restriction on the number of rooms. This bill makes a simple change. A lodging establishment of greater than four rooms that serves only to its guests can access a liquor license. Inns that serve alcohol to their guests and the public must still qualify and hold a restaurant license. Vote 19-1.

### **Amendment (0669h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to beverage and liquor licenses for bed and breakfasts.

Amend the bill by replacing all after the enacting clause with the following:

1 Definitions; Bed and Breakfast. Amend RSA 175:1, VI to read as follows:

VI. "Bed and breakfast" means a building or buildings regularly used and kept open as such in a bona fide manner for the feeding and lodging of transient guests. A bed and breakfast shall have at least 4 rentable rooms and an area of dining capable of accommodating the number of registered guests [~~and be housed in the primary residence of the owners or operators~~] and whose posted room rates shall include breakfast.

2 Licenses; Bed and Breakfasts. Amend RSA 178:21, II(c) to read as follows:

(c) Bed and Breakfasts. The commission may issue a license to any bed and breakfast which has *at least* 4 rentable rooms and [~~full service~~] a dining area capable of seating the total number of registered guests and shall entitle the licensee to:

(1) Sell liquor and beverages to *registered* guests [~~with meals in the dining room~~] *in any approved area* or in the rooms of guests.

(2) Sell liquor and beverages by the bottle which shall be delivered to the rooms of registered guests, provided that the charge for such liquor and beverages is not below cost.

3 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill modifies eligibility for a bed and breakfast beverage and liquor license and service restrictions on bed and breakfast licensees.

**HB 339-FN**, relative to consumer credit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Kermit R. Williams for Commerce and Consumer Affairs: This bill originally defined rules for the practice of debt collection from consumers, including requiring a collector to verify that they were contacting the correct consumer, and that the consumer really owed the debt being collected. The bill specified the documentation required for such verification, and the process that a collector must follow to collect the verified debt while preserving the rights of the debtor. The committee heard testimony from consumers who had problems with collectors, agencies and attorneys who provide assistance to New Hampshire residents with debt collection problems, and representatives of the debt buying and debt collection industry. While we were absolutely convinced that there are serious problems with debt collection that should be addressed by legislation, we felt this bill fell short of the goal of protecting consumers from fraud and abuse while giving legitimate debt collection companies the opportunity to do business. Because the issues involved are significant and complex, the committee created an amendment which redefines the bill to create a study committee for the debt collection industry, which shall recommend appropriate legislation to balance the rights of consumers and the business community. Vote 17-1.

### Amendment (0720h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study existing debt collection laws and practices.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study existing debt collection laws and practices.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study existing debt collection laws and practices and determine and recommend any statutory changes needed to balance industry needs and consumer needs.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

6 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill creates a committee to study existing debt collection laws and practices.

**HB 505**, relative to the economic development advisory council. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Keith Murphy for Commerce and Consumer Affairs: This bill changes the term of appointments to the Economic Development Advisory Council from three to two years and allows the governor to replace members upon the request of the Director of Economic Development due to lack of participation. The committee amendment, drafted in consultation with the director, reduces the size of the council from 27 to 16 members, making the body less unwieldy. Several current members of the council appeared in support of the bill and the amendment and there was no opposition. Vote 18-0.

#### Amendment (0572h)

Amend RSA 12-A:22-a, II as inserted by section I of the bill by replacing it with the following:

II. The advisory council shall consist of the director of the division of economic development, 3 at-large members who have an interest in economic development, and a representative of each of the following:

- (a) ~~[A chamber of commerce;~~
- ~~(b)]~~ The manufacturing sector.
- ~~[(c)]~~ (b) The field of higher education *or workforce development*.
- ~~[(d)]~~ ~~A venture capital formation expert or specialist;~~
- ~~(e)~~ ~~A workforce development organization;~~
- ~~(f)~~ ~~The biotechnology sector;~~
- ~~(g)~~ ~~The information technology or software sector;~~
- ~~(h)~~ ~~Commercial real estate or real estate development;]~~
- ~~[(f)]~~ (c) A regional or municipal development official.
- ~~[(j)]~~ ~~The insurance, banking, or financial services sector;]~~
- ~~[(k)]~~ (d) The retail sector.
- ~~[(h)]~~ (e) The travel and tourism sector.
- ~~[(m)]~~ ~~The forest-based products sector;]~~
- ~~[(n)]~~ (f) An electric utility or energy-related interest.
- ~~[(o)]~~ (g) An economist.
- ~~[(p)]~~ ~~The telecommunications sector;~~
- ~~(q)~~ ~~The governor's office;]~~
- (h) *The high technology sector.*
- (i) *The entrepreneurial sector.*
- (j) *The financial services or venture capital sector.*
- ~~[(r)]~~ (k) A senator, appointed by the president of the senate.
- ~~[(s)]~~ (l) A house member, appointed by the speaker of the house of representatives.
- ~~[(t)]~~ ~~One representative of organized labor;~~
- ~~(u)~~ ~~The residential building community;~~
- ~~(v)~~ ~~A state or local housing agency;]~~

Amend RSA 12-A:22-a, VII as inserted by section I of the bill by replacing it with the following:

***VII. The council shall make an annual report no later than the first day of December to the commissioner of the department of resources and economic development, governor, senate president, and speaker of the house of representatives, detailing its activities, results, and any recommendations made to the division of economic development.***

#### AMENDED ANALYSIS

This bill revises the mission of the economic development advisory council, reduces the number of council members, and permits removal from the council for lack of participation.

**HB 594-FN**, relative to the general consumer credit laws of the state. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Richard D. McNamara for Commerce and Consumer Affairs: This bill makes changes to laws regarding mortgage bankers, mortgage brokers and mortgages services. The bill was a cooperative effort of the NH Banking Department and mortgage bankers and brokers. The bill incorporates updates to banking regulations to keep the state in compliance with current industry regulations. Vote 19-0.

### Amendment (0716h)

Amend the bill by replacing all after the enacting clause with the following:

1 Banks and Banking; Fidelity Bond Coverage. Amend RSA 383:14, I to read as follows:

I. Each institution under the supervision of the commissioner *except for institutions supervised under RSA 361-A, RSA 397-A, RSA 397-B, RSA 399-A, RSA 399-D, and RSA 399-G*, shall purchase fidelity bond coverage for protection or indemnity against losses from dishonest or criminal acts of officers, employees, and agents of the institution, and acts such as robbery, burglary, or forgery by persons not associated with the institution.

2 Mortgage Bankers and Brokers; Definitions. Amend RSA 397-A:1, I-a to read as follows:

I-a. "Affiliate" means a relationship between **2 or more** persons if either person has the power to control the other, or *where* a third person [~~who~~] controls or has the power to control [~~both~~] *such persons*. Affiliates shall include but not limited to:

- (a) Interlocking directorates or ownership; or
- (b) Identity of interests among members of a family.

3 Definition; Mortgage Banker. RSA 397-A:1, XII is repealed and reenacted to read as follows:

XII. "Mortgage banker" means a person not exempt under RSA 397-A:4 who, for compensation or gain, or in the expectation of compensation or gain, whether such compensation or gain is direct or indirect:

- (a) Makes or originates a mortgage loan as payee on the note evidencing the loan;
- (b) Advances, or offers to advance, or makes or offers to make, a commitment to advance a banker's funds for a mortgage loan, or closes a mortgage loan in its own name or with the banker's funds; or

- (c) Otherwise funds or offers to fund a mortgage loan.

4 Definition; Mortgage Broker. Amend RSA 397-A:1, XIII to read as follows:

XIII. "Mortgage broker" means a person not exempt under RSA 397-A:4 who for compensation or gain, or in the expectation of compensation or gain, either directly or indirectly:

- (a) Acts *or offers to act* as an intermediary, finder, or agent of a lender or borrower for the purpose of negotiating, arranging, finding, or procuring mortgage loans, or commitments for mortgage loans.

- (b) Offers to serve as agent for any person in an attempt to obtain a mortgage loan.

- (c) Offers to serve as agent for any person who has money to lend for a mortgage loan.

5 Definition; Originator. Amend the introductory paragraph of RSA 397-A:1, XVII to read as follows:

XVII.(a) "Originator" or "mortgage loan originator" or "mortgage originator" or "loan originator" means an individual who for direct or indirect compensation or gain or in the expectation of direct or indirect compensation or gain, takes a mortgage application or offers, negotiates, solicits, arranges, or finds a mortgage loan or who offers or negotiates terms of a residential mortgage loan. ~~[No individual may act as an originator for more than one mortgage broker, mortgage servicer, or mortgage banker. A sole proprietor licensed as a mortgage broker, mortgage servicer, or mortgage banker shall also obtain a license as a mortgage originator prior to engaging in the activities of a mortgage originator.]~~ Mortgage loan originator does not include:

6 Mortgage Bankers and Brokers; Application of Chapter. Amend RSA 397-A:2, III to read as follows:

III. Persons subject to or licensed under this chapter shall abide by applicable federal laws and regulations, the laws and rules of this state, and the orders of the commissioner. Any violation of such law, regulation, order, or rule is a violation of this chapter. *Such federal laws and regulations include but are not limited to the Bank Secrecy Act (BSA), 31 U.S.C. section 5311 et seq. and 31 C.F.R. Part X et seq. when required by the BSA, and include interpretive orders and similar directives.*

7 License Required. Amend RSA 397-A:3, V to read as follows:

V.(a) ~~[In this paragraph, "governmental entities" means federal, New Hampshire state, and New Hampshire municipal governments, and the agencies, instrumentalities, and corporations thereof.~~

(b)(1) In this paragraph, “exempt nonprofit entities” means nonprofit agencies or persons which have a tax exempt status granted under the provisions of section 501(c)(3) or 501(c)(4) of the Internal Revenue Code; and

(A) exclusively make or issue commitments for mortgage loans on residential property to be financed by a governmental entity with public funds, or negotiate, place, assist in placement of, find, or offer to negotiate, place, assist in placement of, or find mortgage loans on residential property to be financed with public funds exclusively under a contract with a governmental entity; or

(B) make or issue commitments for mortgage loans on residential property and are determined by the commissioner to be organized exclusively for benevolent or charitable purposes for the benefit of New Hampshire consumers.

(2) For purposes of this definition, the making of a mortgage loan includes being named as the lender or mortgagee on the note, mortgage, or other loan documents.

~~[(c) Governmental entities and]~~ (b) Exempt nonprofit entities may not be required to obtain a mortgage banker or mortgage broker license when such entity:

(1) Is authorized to conduct mortgage banker or mortgage broker business in this state by an order of the commissioner or is authorized by New Hampshire statute to do mortgage lending;

(2) Files as an exempt entity on the Nationwide Mortgage Licensing System and Registry;

(3) Conforms to the requirements of the Nationwide Mortgage Licensing System and Registry including but not limited to the reporting requirements;

(4) Files and maintains a bond in accordance with RSA 397-A:5, III(c) to cover the business conducted by its originators; and

(5) Licenses its originators in this state through the Nationwide Mortgage Licensing System and Registry.

~~[VI. Governmental entities, as defined in subparagraph V(a), may not be required to obtain a mortgage banker or mortgage broker license when such entity only provides the funds and the residential mortgage loan is originated and effected exclusively by a New Hampshire licensed mortgage broker and its duly licensed originators.]~~

8 New Section; Mortgage Bankers and Brokers; Prohibitions. Amend RSA 397-A by inserting after section 3 the following new section:

397-A:3-a Prohibitions.

I. No individual may act as an originator for more than one mortgage broker, mortgage servicer, mortgage banker, or other financial institution at the same time, unless the entities are affiliates.

II. A sole proprietor licensed as a mortgage broker, mortgage servicer, or mortgage banker shall also obtain a license as a mortgage originator prior to acting as a mortgage originator.

III. No individual may act as a mortgage banker or broker for more than one mortgage broker, mortgage servicer, mortgage banker, or other financial institution at the same time, unless the entities are affiliates.

9 Mortgage Bankers and Brokers; Exemptions. RSA 397-A:4, VI is repealed and reenacted to read as follows:

VI.(a) A person or an affiliate of the person who is an owner of real property and who, in any 12 consecutive month period, makes no more than 3 mortgage loans to purchasers of the real property, for all or part of the purchase price of the real estate against which the mortgage is secured, provided that the person or affiliate does not make such loans habitually or repeatedly, and in a commercial context.

(b) Subparagraph (a) shall not apply to a person who has constructed, or acted as a contractor for the construction of, a residence on the property in the ordinary course of business.

10 New Paragraph; Exemptions. Amend RSA 397-A:4 by inserting after paragraph VII the following new paragraph:

VIII. Federal, state, or local governmental agencies, instrumentalities, and corporations and the employees of such entities who act as loan originators pursuant to their official duties as employees of the entities provided that, limited to activities that would otherwise be within the scope of this chapter:

(a) Such government entity operates:

(1) To promote affordable housing, housing improvement assistance, or to provide homeownership education, or similar services.

(2) To conduct its activities in a manner that serves public or charitable purposes.

(3) To receive funding and revenues and to charge fees in a manner that does not incentivize the organization or its employees to act other than in the best interests of its clients.



(4) To compensate employees in a manner that does not incentivize employees to act other than in the best interests of its clients.

(5) Absent a commercial context and without a pecuniary interest.

(b) The government employees who act as loan originators as employees of government entities and pursuant to government funded and regulated housing assistance programs do so:

(1) For public or charitable purposes, and not for the profit of another individual or entity.

(2) Not within a commercial context.

11 New Subparagraph; License Application; Requirements; Investigation. Amend RSA 397-A:5, III by inserting after subparagraph (d) the following new subparagraph:

(e) Mortgage bankers shall designate an individual contact person who shall be a control person of their organization to communicate with department personnel on foreclosure workouts and foreclosure avoidance procedures. The contact person shall have authority to facilitate foreclosure workouts, and foreclosure avoidance procedures. The contact person shall be named in the license application and the mortgage banker shall update the department with a new or interim contact person whenever the designated contact person changes, within 7 business days of such change.

12 License Grant. Amend RSA 397-A:6, I to read as follows:

I. If the commissioner determines that the applicant meets the requirements of this chapter, then the commissioner shall forthwith issue a license or licenses permitting the applicant to ~~[engage in the business of originating, making, or brokering mortgage loans]~~ **act as a mortgage originator, mortgage banker, or mortgage broker** in accordance with the laws of this state. The commissioner may, by order, restrict or impose conditions for a license. Each branch office license and originator license is only in effect when the associated mortgage banker or mortgage broker is licensed in this state. Each branch manager of a location required to be licensed as a branch office under this chapter shall be licensed as a mortgage loan originator. Licensees shall ensure that the Nationwide Mortgage License System and Registry unique identifier of any person originating a residential mortgage loan shall be clearly shown on all residential mortgage loan application forms, solicitations or advertisements, including business cards or websites, and any other documents as established by rule, regulation, or order of the commissioner. Licensees shall be responsible for the supervision of their employees, agents, loan originators, and branch offices. Licensees shall conduct background checks, including checking the list of entities issued by the Office of Foreign Assets Control (OFAC) whose assets were frozen by executive order, on all of their loan originators.

13 License Grant. Amend RSA 397-A:6, IV and V to read as follows:

IV. If a mortgage banker or mortgage broker licensee is a person other than a natural person, the license issued to it shall entitle all officers, directors, members, partners, trustees, agents, originators, and employees of the licensed corporation, partnership, entity, or trust to ~~[engage in the business of making or brokering mortgage]~~ **make or broker** loans; provided that all individuals who engage in the origination process are licensed as originators and that one officer, director, member, partner, employee, or trustee of such person shall be designated in the license application as the individual to be contacted under the provisions of this chapter.

V. If the mortgage banker or mortgage broker licensee is a natural person, the license shall entitle all employees, agents, and originators of the licensee to ~~[engage in the business of making or brokering mortgage]~~ **make or broker** loans, provided that all individuals who engage in the origination process are licensed as originators.

14 Record Keeping. Amend RSA 397-A:11, I-IV to read as follows:

I. The licensee shall maintain such records as will enable the department to determine whether the licensee's business is in compliance with the provisions of this chapter and the rules adopted pursuant to it. Such records shall be maintained in a readily accessible location and made available for examination at the licensee's New Hampshire principal office or its New Hampshire branch office location or the office of its New Hampshire agent for a period of at least 3 years after the ~~[loan is closed, if the loan is not retained in the licensee's loan portfolio, or 3 years after the loan is paid in full, if the loan is retained in the licensee's loan portfolio. Licensees may maintain photocopies, microfilm, or microfiche copies of original documents]~~ **licensee's final transaction on a loan or application file.**

II. Those licensees that maintain their files and business records in another state are required to return such files to their principal or branch New Hampshire office, to the banking department, or to the office of their New Hampshire agent for examination no later than 21 calendar days after being requested to do so by the department. When the commissioner requests a loan list or

other similar summary document from a licensee from which to select particular files for review, the licensee shall ensure that the list is received by the commissioner within 7 calendar days, and [return] **provide** the files selected by the commissioner to the commissioner within 14 calendar days to ensure compliance with the 21-day requirement. Failure to provide files and documents within the time established by this paragraph shall subject a licensee or person to a fine of \$50 per day for each day after 21 days the files and documents are not produced. Failure to provide files and documents within 60 days after being requested to do so by the department shall be sufficient cause for license revocation, suspension, or denial.

III. If the licensee retains a mortgage loan in its loan portfolio or services a loan it originated, an adequate loan payment history for such loan shall be made available to the department upon request.

IV. A licensee shall keep and use business records in such form and at such location as the commissioner shall by rule determine. The records shall enable the commissioner to determine whether the licensee is complying with the provisions of this chapter, any rules adopted under it, and any other law, rule, or regulation applicable to the conduct of the business for which it is licensed under this chapter. The rules may contain provisions for records to be recorded, copied, or reproduced by any process which accurately reproduces or forms a durable medium for reproducing the original record or document, or in any other form or manner authorized by the commissioner. ***For their own business purposes, a licensee may maintain photocopies, microfilm, microfiche, or digital copies of original documents. However,*** nothing in this section shall be construed to permit any licensee to destroy original records or documents. Each licensee shall preserve all such business records for as long a period as the commissioner shall prescribe by rule.

15 Advertising. Amend RSA 397-A:14-a, III to read as follows:

III. Any advertisement, printing, display, publication, distribution, or broadcast offering loans governed by this chapter shall clearly and conspicuously contain the disclosure[;] ***in substantially the following form:*** "Licensed by the New Hampshire banking department." Failure to comply with the provisions of this paragraph shall constitute sufficient cause for license revocation, suspension, or denial.

16 Definition; Mortgage Servicing Company. Amend RSA 397-B:1, III to read as follows:

III. "Mortgage servicing company" ***or "mortgage servicer"*** means an individual, partnership, corporation, association, or other entity however organized and wherever located which, for itself or on behalf of the holder of a mortgage loan, holds the servicing rights or records such payments on its books and records and performs such other administrative functions as may be necessary to properly carry out the mortgage holders obligations under the mortgage agreement including, when applicable, the receipt of funds from the mortgagor to be held in escrow for payment of real estate taxes and insurance premiums and the distribution of such funds to the taxing authority and insurance company.

17 Mortgage Loan Services; Application of Chapter. Amend RSA 397-B:2, II to read as follows:

II. Persons subject to or registered ***or licensed*** under this chapter shall abide by applicable federal laws and regulations, the laws and rules of this state, and the orders of the commissioner. Any violation of such law, regulation, or rule is a violation of this chapter. ***Such federal laws and regulations include but are not limited to the Bank Secrecy Act (BSA), 31 U.S.C. section 5311 et seq. and 31 C.F.R. 103 et seq. when required by the BSA, and include interpretive orders and similar directives.***

18 New Subparagraphs; Mortgage Loan Services; Registration Fees; Term; Renewal. Amend RSA 397-B:4, V by inserting after subparagraph (e) the following new subparagraphs:

(f) Mortgage servicers and mortgage loan originators acting on behalf of mortgage servicers shall abide by the provisions of RSA 397-A and the rules adopted by the department where such provisions and rules apply to mortgage origination and lending activities.

(g) Mortgage servicing companies shall designate an individual contact person, who shall be a control person of the entity, to communicate with department personnel on foreclosure foreclosure avoidance procedures. The contact person may facilitate foreclosure workouts, and foreclosure avoidance procedures. The license application shall name the contact person and the mortgage banker shall update the department whenever the designated contact person changes within 2 business days of such change.

19 New Section; Record Keeping. Amend RSA 397-B by inserting after section 9-a the following new section:

## 397-B:9-b Record Keeping.

I. The registrant shall maintain records to enable the department to determine whether the registrant's business is in compliance with the provisions of this chapter and the rules adopted by the department. Such records shall be maintained in a readily accessible location and made available for examination at the registrant's New Hampshire principal office or its New Hampshire branch office location or the office of its New Hampshire agent for a period of at least 3 years after the registrant's last transaction on a loan file.

II. Registrants that maintain their files and business records in another state shall return such files to their principal or branch New Hampshire office, to the banking department, or to the office of their New Hampshire agent for examination no later than 21 calendar days after being requested to do so by the department. When the commissioner requests a loan list or other similar summary document from a registrant from which to select particular files for review, the registrant shall ensure that the list or information is received by the commissioner within 7 calendar days, and then shall provide the files and information selected by the commissioner to the commissioner within 14 calendar days to ensure compliance with the 21 day requirement. Failure to provide files and documents within the time established by this paragraph shall subject a registrant or person to a fine of \$50 per day for each day after 21 days the files and documents are not produced. Failure to provide files and documents within 60 days after being requested to do so by the department shall be sufficient cause for registration revocation, suspension, or denial.

III. A registrant shall keep and use business records in such form and at such location as the commissioner shall by rule determine. The records shall enable the commissioner to determine whether the registrant is complying with the provisions of this chapter, any rules adopted under it, and any other law, rule, or regulation applicable to the conduct of the business for which it is registered under this chapter. The rules may contain provisions for records to be recorded, copied, or reproduced by any process which accurately reproduces or forms a durable medium for reproducing the original record or document, or in any other form or manner authorized by the commissioner. For their own business purposes, a registrant may maintain photocopies, microfilm, microfiche, or digital copies of original documents. However, nothing in this section shall be construed to permit any registrant to destroy original records or documents. Each registrant shall preserve all such business records for as long a period as the commissioner shall prescribe by rule.

IV. If the commissioner or examiner finds any records to be inadequate, or kept or posted in a manner not in accordance with generally accepted accounting principles, the commissioner may employ experts to reconstruct, rewrite, post, or balance them at the expense of the person being examined if such person has failed to maintain, complete, or correct such records after the commissioner or examiner has given him or her written notice and a reasonable opportunity to do so.

20 Mortgage Loan Services; Exemption. Amend RSA 397-B:10 to read as follows:

## 397-B:10 Exemption.

I. The provisions of this chapter shall not apply to any bank, trust company, savings and loan association, or cooperative bank, savings bank, or credit union which may be chartered by this state or any other state or by any agency of the United States, or to any other person not within the intent of this chapter as the commissioner may designate by rule or order~~[-not shall the]~~. *No registration provisions of this chapter shall apply to any individual or entity licensed by the banking department as a mortgage banker in accordance with RSA 397-A, provided that such mortgage banker abides by the provisions of this chapter and rules adopted by the department.*

*II. A person that funds a mortgage loan while such person is exempt from licensure under RSA 397-A:4, and that retains such mortgage loan in its, his, or her own portfolio, may perform mortgage servicing activities limited to the collection of interest and principal, foreclosure procedures, loan negotiation and modification activity, without obtaining a mortgage servicing registration or mortgage loan originator licensed under this chapter.*

21 New Subparagraph; Small Loans; Applications and Fees. Amend RSA 399-A:3, I by inserting after subparagraph (e) the following new subparagraph:

(f) The department may rely on criminal records checks reported through a national licensing system in lieu of subparagraphs (c) and (d).

22 Small Loans; Consumer Credit Administration License Fund. RSA 399-A:5 is repealed and reenacted to read as follows:

399-A:5 Consumer Credit Administration License Fund. The balance in the consumer credit administration license fund shall be transferred and shall be payable to the state treasurer as restricted

revenue and credited to the appropriation for the commissioner, consumer credit administration division. Sums collected under this chapter shall be payable to the state treasurer as restricted revenue and credited to the appropriation for the commissioner, consumer credit administration division.

23 Definitions; Concessions. Amend RSA 399-D:2, II-a to read as follows:

II-a. ***“Concessions” means assent to repayment of a debt on terms more favorable to an individual than the terms of the contract between the individual and a creditor.***

II-b. ***“Control” means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any person is presumed to control a company if such person:***

(a) Is a director, general partner, or executive officer;

(b) Directly or indirectly has the right to vote 10 percent or more of a class of a voting security or membership interest, or has the power to sell or direct the sale of 10 percent or more of a class of voting securities or membership interest;

(c) In the case of a limited liability company, is a managing member; or

(d) In the case of a partnership, has the right to receive upon dissolution, or has contributed, 10 percent or more of the capital.

24 New Subparagraph; Definition; Debt Adjuster. Amend RSA 399-D:2, IV by inserting after subparagraph (e) the following new subparagraph:

(f) Any person that serves as an intermediary between a consumer and one or more creditors of the consumer for the purpose of obtaining concessions.

25 Debt Adjuster; Licensee's Duties. Amend RSA 399-D:15, VIII to read as follows:

VIII. Persons subject to or licensed under this chapter shall abide by applicable federal laws, and regulations [~~including the federal Truth in Lending Act~~], and the laws, orders, and rules of this state. Any violation of such law, rule, or order shall be a violation of this chapter.

26 Licensing of Money Transmitters; License Required. RSA 399-G:3 is repealed and reenacted to read as follows:

399-G:3 License Required. Any person not exempt under RSA 399-G:4 that, in its own name or on behalf of other persons, transmits money from this state or to persons within this state, shall obtain a license from the banking department.

27 Licensing of Money Transmitters; Examinations. Amend RSA 399-G:13, II-a to read as follows:

II-a. Licensees shall implement a system of education, training, monitoring, and periodic inspection designed to inform their authorized delegates of their responsibilities, consistent with the Bank Secrecy Act and the requirements to file reports required by federal law. ***Licensees whose authorized delegates are not required to register independently with FinCEN shall ensure that such authorized delegates have adequate written policies and procedures in place to implement effective Bank Secrecy Act and anti-money laundering programs.***

28 Mortgage Bankers and Brokers; Borrowers' Rights. Amend RSA 397-A:15, VIII to read as follows:

VIII. [~~A yield spread premium is prohibited~~] In a reverse mortgage transaction, ***any credit derived from offering an interest rate higher than the par rate shall only be paid to the borrower or used to pay the borrower's costs, and shall not be used as an additional source of compensation.***

29 Mortgage Bankers and Brokers; Borrowers' Rights. Amend RSA 397-A:15, IX(a) to read as follows:

(a) Every field on the United States Department of Housing and Urban Development's Good Faith Estimate (GFE) form shall be completed before it is given to a borrower. The Tradeoff Table on the instruction page of the GFE shall be completed [~~where a yield spread premium is to be paid in connection with a mortgage transaction~~] ***when the originating company is not funding the loan.***

30 Repeal. RSA 397-A:1, XXVI, relative to yield spread premiums, is repealed.

31 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill modifies several provisions of the consumer credit law.

**HB 639**, relative to beverage container and packaging approval. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Keith Murphy for Commerce and Consumer Affairs: This bill specifies that the liquor commission, when considering whether or not to approve new beverages, shall not require actual

samples of the beverage itself in addition to the container, the label, and the certified test report attesting to the product characteristics. The committee heard testimony from brewers that most states do not require samples of the actual product, that this requirement adds significant expense to the application process and that some brewers choose not to bring their product to New Hampshire due to the higher time and expenses. The committee amendment, drafted in consultation with the chief of liquor enforcement, makes the sample unnecessary for beverages less than 6% alcohol content, which would exclude the majority of beverages, unless the commission decides in any given case that a sample should be required. The committee found this to be a reasonable compromise to the competing interests of public safety and easing the burden of doing business in our state. Vote 19-0.

#### **Amendment (0688h)**

Amend the bill by replacing section 1 with the following:

1 Beverage Container and Packaging Approval. Amend RSA 179:33, II to read as follows:

II. Holders of beverage vendor, nano brewery, or beverage manufacturer licenses shall have their packaging or containers specifically approved by the commission and shall be fined \$250 for each packaging or container violation. ***Container and packaging approval shall not require delivery of physical sample of beer under 6 percent alcohol by volume at 60 degrees Fahrenheit unless the commission determines a physical sample is necessary for approval.***

#### **AMENDED ANALYSIS**

This bill states that beverage container and packaging approval shall not require delivery of physical beverage samples of beer under 6 percent alcohol by volume at 60 degrees Fahrenheit unless the commission determines a physical sample is necessary for approval.

**HB 224**, relative to the authority of the superintendent of a county correctional facility. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: This bill will allow superintendents of county correctional facilities to do legally something that some of them may be doing already, release a prisoner after serving at least 14 days (except at the state prison) for the purpose of obtaining and working at gainful employment. The committee was unanimous in support of the idea behind the bill, but disagreement was focused on an amendment which represents an attempt to make sure that the prosecutors and judges involved in the original sentencing are informed. The majority of the committee, conscious of the separation of powers between the judicial branch (courts) and administrative branch (corrections facilities) thought it wise to add a provision that before a prisoner is released, the prosecutor and judge be informed with a ten day window to state an objection. If an objection is raised, the prisoner would be granted a hearing which could lead to release but at the discretion of the sentencing court. The committee, aware that this might slightly delay the release, thought it appropriate, especially after hearing from one county corrections official that disagreements have occurred in as many as four of five planned releases. Vote 16-1.

#### **Amendment (0612h)**

Amend the bill by replacing section 1 with the following:

1 Discretionary Sentences; Release for Certain Purposes. Amend RSA 651:19 to read as follows:  
651:19 Release for Purpose of Gainful Employment, Rehabilitation, or Home Confinement.

**I.** A sentencing court may [order] **recommend** any person who has been committed to a correctional institution other than state prison under a criminal sentence [may] **to** be released therefrom for the purpose of obtaining and working at gainful employment, for the performance of uncompensated public service as provided in RSA 651:68-70, under the terms of a day reporting program, provided the correctional facility has a day reporting program, or to serve the sentence under home confinement, provided the correctional facility has a home confinement program.

**II.** If the **court recommends a person for release and the** superintendent determines the person is inappropriate for such release, the court shall be notified and, at the request of the defendant, a hearing may be scheduled.

**III.** **If the court does not recommend a person for release pursuant to paragraph I but at any time during the sentence the superintendent deems such a release to be conducive to the person's rehabilitation, the superintendent may allow the release provided that the sentencing court and the prosecutor of the underlying offense have been notified of the proposed release, and there has been no objection within 10 days of the notice by either the sentencing court or the**

*prosecutor of the underlying offense. If the prosecutor of the underlying offense objects to the proposed release, the prosecutor shall submit in writing to the sentencing court the reasons for objecting. If the sentencing court objects, or receives written notice of the prosecutor's objection, the sentencing court shall, within 10 days of receipt of the original notice or the prosecutor's objection, schedule a hearing on the proposed release. The sentencing court shall then approve or deny the proposed release.*

IV. In any case, the defendant shall first serve 14 consecutive days prior to eligibility for home confinement, or for such other purpose as the court may deem conducive to his or her rehabilitation, for such times or intervals of time and under such terms and conditions as the rules and regulations of the correctional facility may allow or as the court may order. Any part of a day spent in the free community, or in home confinement, under such a release order shall be counted as a full day toward the serving of the sentence unless otherwise provided by the court. If a person violates the terms and conditions laid down for his or her conduct, custody, and employment, he or she shall be returned to the correctional facility. The superintendent may then require that the balance of the person's sentence be spent in actual confinement.

### AMENDED ANALYSIS

This bill establishes a procedure for the superintendent of the county correctional facility to release a prisoner in order to obtain gainful employment, perform uncompensated public service, or serve the sentence under home confinement.

#### **HB 644-FN, relative to parole procedures. OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety: The bill, as amended, makes a number of changes in the laws concerning procedures for parole and imposition of sanctions for violations of probation. This bill requires the department of corrections to post notice of parole hearings on the department's websites, and clarifies the process for notification of victims of parole hearings involving the person convicted of their victimization. It amends the procedure for calculating the recommittal period for persons who violate the conditions of parole, and amends the authority of a probation /parole officer to sanction a probationer for violations of probation. This bill was supported by the Adult Parole Board, the Department of Corrections and the office of the Attorney General. Vote 16-0.

#### **Amendment (0738h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to parole procedures and relative to sanctions for violations of probation.

Amend the bill by replacing all after section 5 with the following:

6 Parole of Prisoners; Effect of Recommittal. Amend RSA 651-A:19, III(a) to read as follows:

(a) The prisoner has previously been ~~[recommitted]~~ **found true** for a parole violation **on his or her current sentence or another sentence for which he or she was concurrently serving a term of parole;** or

7 Parole of Prisoners; Effect of Recommittal. Amend RSA 651-A:19, VII(a) to read as follows:

(a) The prisoner has not been previously ~~[recommitted]~~ **found true** for a parole violation **on his or her current sentence or another sentence for which he or she was concurrently serving a term of parole;**

8 Sentences and Limitations. Amend RSA 651:2, V(i) to read as follows:

(i) The court may include, as a condition of probation for a felony offense, a jail sentence of ~~[one] up to [5]~~ **30 days** that a probation/parole officer may impose in **segments of one to 7 days over the course of the probation period,** in response to ~~[a]~~ **any** violation of a condition of probation, in lieu of a violation of probation hearing. Such jail sanction shall be served at the county jail facility closest to or in reasonable proximity to where the probationer is under supervision.

9 Probationers and Parolees; Violations of the Terms of Probation or Parole. Amend RSA 504-A:4, III to read as follows:

III. A probation or parole officer may require any probationer, whose sentence includes a ~~[one to 5 day]~~ **provision for jail [sanction] sanctions** pursuant to RSA 651:2, V(i), to serve a county house of corrections sanction ~~[or a portion thereof]~~ **one to 7 days,** provided that the probationer is advised of and waives his or her right to counsel and to a preliminary hearing under RSA 504-A:5 and violation of probation hearing. If the probation officer intends to impose this sanction, the officer shall advise the offender of the violations alleged, the date or dates of the violation, and

the number of days the offender shall serve. If the offender objects to the imposition of the jail sanction, a violation of probation hearing shall be held. This short jail stay may not be issued for any violation of probation which could warrant an additional, separate felony charge. ***In the event that a probationer commits a fifth violation of probation after having been incarcerated under this section on 4 separate occasions during the term of probation, the probation/parole officer shall file a violation of probation with the court.***

10 Repeal. RSA 651-A:6, I(b), relative to the parole of certain nonviolent offenders, is repealed.

11 Applicability. The provisions of this act shall apply to:

I. Any person who is on parole or eligible for parole, on or after the effective date of this act; and

II. Any person who, on or after the effective date of this act, has violated the conditions of parole after a hearing pursuant to RSA 651-A:17.

12 Effective Date. This act shall take effect July 1, 2013.

### AMENDED ANALYSIS

This bill:

I. Makes various changes to the laws governing parole of prisoners.

II. Requires the department of corrections to post notice of parole hearings on the department's website.

III. Amends the procedure for calculating the recommittal period for persons who violate the conditions of parole.

IV. Amends the authority of a probation/parole officer to sanction a probationer for violations of probation.

**HB 481-FN**, limiting the state's authority to seek reimbursement for public assistance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill, as amended, will allow NH to join the federal government and the 21 states that have already eliminated the filial support laws. The filial support laws state that children have a duty to provide for parents who cannot do so. RSA 167:2 Liability for Support; Recovery. Assistance rendered under this chapter or RSA to anyone having a father, mother, (stepfather, stepmother, son, daughter) husband or wife, whose weekly income or other resources are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an appropriate proceeding in the superior court brought by the commissioner of health and human services, in the name of the state, from either a father, mother, (stepfather, stepmother, son, daughter) husband, or wife, who are declared jointly and severally liable for such assistance. We inherited these laws from the British; the department stated that it has not had the resources to enforce the statute for many years. England did away with these laws in 1948. The bill has been amended to address the ability of the DHHS to still recover funds through FANF with no effect on the amount of services that an applicant or recipient may be eligible for. Vote 15-0.

### Amendment (0778h)

Amend the bill by replacing sections 1 and 2 with the following:

1 Public Assistance to Blind, Aged, or Disabled Persons, and to Dependent Children; Liability for Support. Amend RSA 167:2 to read as follows:

167:2 Liability for Support; Recovery. Assistance rendered under this chapter or RSA 161 to anyone having a father, mother, [~~stepfather, stepmother, son, daughter,~~] husband or wife, whose weekly income or other resources are more than sufficient to provide a reasonable subsistence compatible with decency and health, may be recovered in an appropriate proceeding in the superior court brought by the commissioner of health and human services, in the name of the state, from either a father, mother, [~~stepfather, stepmother, son, daughter,~~] husband, or wife, who are declared jointly and severally liable for such assistance. ***A parent may be liable under this section only for assistance provided to a child under the age of 18, or for so long as the department of health and human services is mandated to recover support under Title IV of the Social Security Act.*** Such action shall be brought by the attorney general or the county attorney for the county in which any such relative resides when so requested by the commissioner of health and human services. ***Nothing in this section shall affect assistance eligibility or the amount of services that an applicant or recipient may be eligible for.***

2 Uniform Civil Liability for Support; Liability. Amend RSA 546-A:2 to read as follows:

546-A:2 Liability. Every person whose income or other resources are more than sufficient to provide for his or her reasonable subsistence compatible with decency or health owes a duty to support or contribute to the support of *the following persons when in need*: his or her wife, husband, ~~or child[, father or mother when in need]~~ *under the age of 18 or for so long as the department of health and human services is mandated to recover support for the child under Title IV of the Social Security Act.*

#### AMENDED ANALYSIS

This bill removes the state's ability under RSA 167:2 to recover public assistance from the recipient's child and stepparent and limits parental liability to children under the age of 18 or for so long as the department of health and human services is mandated to recover support under Title IV of the Social Security Act. The bill also revises RSA 546-A, relative to civil liability for support, by removing a child's obligation to support his or her parents and limiting a parent's liability to support his or her children.

**HB 633**, relative to prescription refills. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Andre A. Martel for Health, Human Services and Elderly Affairs: Schedule III medications include steroids and hallucinogens among other medications. Current law requires that a pharmacist dispense up to 34 days worth of medications which costs consumers more in co-payments due to more frequent refills. HB 566 as amended makes an exception for steroids (of which there is only one in the schedule III category) so that pharmacists may request more than a 34 day supply. Vote 16-0.

#### Amendment (0599h)

Amend RSA 318-B:9, IV as inserted by section I of the bill by replacing it with the following:

IV. No prescription shall be filled for more than a 34-day supply upon any single filling for controlled drugs of [~~schedules~~] *schedule II or controlled drugs of schedule III, except for schedule III steroids*; provided, however, that for controlled drugs, in schedules II or III, that are commercially packaged for dispensing directly to the patient, such as metered sprays and inhalers, liquids packaged in bottles with calibrated droppers, and certain topical preparations packaged with metered dispensing pumps may be filled for greater than a 34-day supply, but not more than 60 days, utilizing the smallest available product size, in order to maintain the dosing integrity of the commercially packaged containers; and, provided that with regard to amphetamines and methylphenidate hydrochloride, a prescription may be filled for up to a 60-day supply if either such prescription specifies it is being used for the treatment of attention deficit disorder, attention deficit disorder with hyperactivity, or narcolepsy.

**HB 591**, relative to an abusive work environment and the health and safety of public employees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Janice E. Schmidt for Labor, Industrial and Rehabilitative Services: The bill, as amended, would require state departments and agencies to develop policies to address harassment of state employees in the workplace. The committee received a great deal of oral and written testimony from state employees and others regarding the physical and mental distress caused by harassment in the workplace and the frustration they experience because there is no mechanism to address it. The personal stories of state employees showed that mistreatment in the workplace is indeed happening and is of great concern to the committee. More concerning was the fact testimony indicated there was no current policy prohibiting this type of conduct in the workplace and there is no current avenue which has successfully addressed the issue. The committee received testimony that Counties and other employers have policies prohibiting this type of conduct and believed the best solution was for the executive branch to develop policies and provide employee training and not extensively legislate the matter. Vote 19-0.

#### Amendment (0761h)

Amend the bill by replacing all after the enacting clause with the following:

1 Abusive Work Environment; Purpose Statement. The state of New Hampshire is committed to providing a positive work environment for state employees free from intimidation, ridicule, and harassment. The abuse of employees in the workplace is declared to be against public policy. Such harassment can inflict serious harm upon targeted employees such as increased stress and anxiety, concentration problems, loss of self-confidence and reduced performance, reduced quality



of family life, depression, or a sense of isolation, and in extreme cases, risk of suicide. Abusive work environments can have serious consequences for employers including reduced employee productivity and morale, higher turnover and absenteeism rates, unsafe work environment, and increases in medical and worker compensation claims. If mistreated employees who have been subjected to abusive treatment at work cannot establish that the behavior was motivated by race, creed, color, age, marital status, familial status, physical or mental disability, or national origin, they are unlikely to be protected by the law against such treatment. Protection from abusive work environments should not be limited to behavior grounded in protected class status as that provided by employment discrimination statutes, and there does not exist in New Hampshire law appropriate pathways to provide adequate relief to employees who have been harmed by abusive environments. Therefore, it is necessary to prevent and respond to abusive mistreatment of state employees at work.

2 Abusive Work Environments. Amend the chapter heading of RSA 275-E to read as follows:

#### CHAPTER 275-E

#### WHISTLEBLOWERS' PROTECTION ACT AND ABUSIVE WORK ENVIRONMENTS

3 New Subdivision; Abusive Work Environment. Amend RSA 275-E by inserting after section 9 the following new subdivision:

##### Abusive Work Environment

275-E:10 Definitions. In this subdivision:

I. "Abusive conduct" means an ongoing pattern of unreasonable actions of an employee or a group of employees directed towards an employee or group of employees which intimidate, degrade, or humiliate the victim. Such actions may be overt or covert behavior, or both. A single event may qualify as abusive conduct if it is particularly egregious.

II. "Abusive work environment" means an employment condition where any employee or group of employees subjects another employee or a group of employees to abusive conduct so severe that it causes tangible harm.

III. "Employee" shall mean any full or part-time, classified or unclassified officer or employee of any branch, department, commission, bureau, institution, or agency of the state government including employees of the general court, the retirement system, the judicial system, the community college system, and the state college and university system of New Hampshire.

IV. "Employer" shall mean any branch, department, commission, bureau, agency, or agent of the state of New Hampshire, but shall not mean any political subdivisions of the state.

275-E:11 Written Policy. Each employer shall within 6 months after the effective date of this subdivision adopt and communicate to all employees a written policy prohibiting abusive conduct and an abusive work environment. This policy shall include at minimum:

I. A clear policy statement that no employer or employee shall subject another to an abusive work environment.

II. A prohibition of retaliation for any claim of abusive conduct.

III. A requirement to distribute the policy to all new and current employees immediately upon adoption, and training for each employee and supervisor upon hiring or promotion and annually thereafter.

IV. A procedure for employees to obtain trained conflict resolution assistance within the workplace.

V. A procedure permitting an employee to bypass his or her supervisor to report concerns of abusive conduct or abusive work environment.

VI. A written procedure for investigating a report of abusive conduct including:

- (a) Appointment of an impartial investigator.
- (b) A time limit for investigation.
- (c) A provision for confidentiality of the investigation.
- (d) A procedure for reporting investigation conclusions.
- (e) A provision for records retention.

VII. A neutral and timely appeals process to the commissioner of labor or the public employees labor relations board if the complaint involves the department of labor.

VIII. A requirement for all documentation regarding the initial claim and all follow up investigation to be provided to the commissioner of labor, or the public employees labor relations board as appropriate for appealed cases.

IX. A provision outlining remedies available up to and including termination of the offending party.

X. A provision for annual policy review and provision for change if needed.

4 New Paragraph; Powers and Duties of Commissioners. Amend RSA 21-G:9 by inserting after paragraph VI the following new paragraph:

VII. The commissioner shall comply with all requirements of RSA 275-E:11.

5 Effective Date. This act shall take effect 60 days after its passage.

**HB 635**, establishing a committee to study state rest areas. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter E. Ramsey for Public Works and Highways: The committee felt strongly that our state rest areas have a critical mission to encourage and service the state's tourism industry. The operation of the rest areas has been by previous legislation, turned over to DRED, yet the ownership of the rest areas remains with DOT and the Turnpike System. A study committee is necessary to reconcile this transition and to prioritize which rest areas should be reopened. (Currently, four are closed due to lack of funding.) The amendment addresses the funding issue by enabling DRED and DOT to solicit proposals for sponsors or purchase of the naming rights for New Hampshire rest areas, which would require approval of the long range capital planning and utilization committee. Any proceeds would be used to operate existing rest areas. Vote 14-1.

#### Amendment (0787h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas.

Amend the bill by replacing all after section 5 with the following:

6 New Paragraph; Rest Areas; Requests for Proposals. Amend RSA 12-A:43-b by inserting after paragraph II the following new paragraph:

III. The department of resources and economic development and the department of transportation may solicit requests for proposals to sponsor or purchase naming rights to any New Hampshire rest area. Any proceeds from this section shall be used to operate existing rest areas. All results of such requests for proposals shall be submitted to the long range capital planning and utilization committee established in RSA 17-M:1 for approval.

7 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill:

I. Establishes a committee to study the staffing of currently closed state rest areas.

II. Permits the department of resources and economic development and the department of transportation to solicit requests for proposals to sponsor or purchase naming rights to rest areas.

**HB 349**, relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Christopher J. Ahlgren for Resources, Recreation and Development: This bill authorizes the bureau of trails to develop trails for and to permit the operation of vehicles 65 inches wide and weighing up to 1700 lbs. on specific trails for specific times in Jericho Mountain State Park. These larger vehicles are limited to areas as prescribed in the Jericho Mountain State Park master development plan. The legislation will enable the trails bureau and the local OHRV clubs to work cooperatively to develop trails that will be enjoyable to the users while limiting the environmental impact. The amendment states that this legislation, if enacted, will sunset after three years to assure the legislature's ability to review and evaluate the progress of this use of Jericho Mountain State Park. Vote 17-2.

#### Amendment (0728h)

Amend the bill by replacing all after the enacting clause with the following:

1 Trails on State Lands; Jericho Mountain State Park. Amend RSA 215-A:43, VII(c) to read as follows:

(c) A person may operate an OHRV within Jericho Mountain state park which weighs up to ~~[1,600]~~ **1,700** pounds and is no wider than 65 inches on specifically designated trails within Jericho Mountain state park, *provided that, in addition, the bureau of trails may permit operation of wider or heavier 4-wheel drive motor vehicles, as referenced in the Jericho Mountain state park master development plan, registered as OHRVs, at specific times and on specific trails.*

2 Trails on State Lands; Jericho Mountain State Park; Version Effective January 1, 2016. RSA 215-A:43, VII(c) is repealed and reenacted to read as follows:

(c) A person may operate an OHRV within Jericho Mountain state park which weighs up to 1,700 pounds and is no wider than 65 inches on specifically designated trails within Jericho Mountain state park.

3 Effective Date.

I. Section 2 of this act shall take effect January 1, 2016.

II. The remainder of this act shall take effect 60 days after its passage.

**HB 416**, shortening the appeals process for a permitting decision under RSA 482-A, relative to fill and dredge in wetlands. **OUGHT TO PASS.**

Rep. Pamela J. Hubbard for Resources, Recreation and Development: This bill shortens the appeal process for permitting decisions relative to fill and dredge in wetlands. The wetlands council is already aligned with the other councils associated with the department and conducts evidentiary hearings in appeals. This bill will eliminate reconsideration at the department level, which is no longer needed, and could shorten the appeals process by up to two months. Vote 17-0.

**HB 510**, relative to backflow prevention valves. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James D. Aguiar for Resources, Recreation and Development: The amendment replaces the bill in its entirety. The bill clarifies the circumstances under which backflow prevention devices are required as well as the frequency of device testing based on the relative hazard. It further outlines the responsibilities of the facility owner regarding testing and maintenance of the devices. Backflow devices prevent unhealthy water from mixing with safe water. Vote 17-0.

#### **Amendment (0404h)**

Amend the bill by replacing section 1 with the following:

1 Backflow Device Requirements and Tests. RSA 485:11 is repealed and reenacted to read as follows:

485:11 Backflow Device Requirements and Tests. There shall be a backflow prevention device installed at every connection to a public water system if the facility connected may pose a hazard to the quality of water supplied by the public water system as determined by the department of environmental services. The facility receiving water from a public water supply shall be responsible for having such backflow prevention devices installed, serviced and tested by individuals qualified by license or certification to perform these activities. Testing of backflow devices shall occur twice annually unless the public water supplier determines the facility poses a low hazard, in which case testing shall be performed on an annual basis. The facility receiving water from a public water supplier is responsible for ensuring that the backflow prevention device is working properly to prevent backflow into the public water system.

#### **AMENDED ANALYSIS**

This bill requires the installation of a backflow device at every connection to a public water system under certain conditions.

This bill also requires testing of such devices under certain conditions.

**HB 515**, relative to requirements for whitewater guides. **INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne J. Smith for Resources, Recreation and Development: This bill requires guides of commercial whitewater rafting enterprises to show proof of having completed safety training. It also establishes a definition for "whitewater craft" and requires the Department of Safety to classify rivers in New Hampshire. There are only four whitewater outfitters in New Hampshire and only one river, the Androscoggin, which is used for whitewater rafting. The committee realizes that safety training for rafting guides is important, but believes that at this time the implementation of this bill would be problematic for enforcement and costly for the state. Vote 17-0.

**HB 574**, increasing the size limitations for OHRVs operating on state-owned trails. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Yvonne D. Thomas for Resources, Recreation and Development: This bill increases the size limitation for OHRVs operating on certain state trails. The amendment specifies that the bill pertains to Coos and Grafton counties. The bill increases the width from 50 inches to 62 inches and the weight from 1,000 pounds to 1700 pounds in order to accommodate the utility-style OHRV market.

Currently, riders of these larger vehicles are prohibited from operating on the state trails. The majority of the committee believes that this legislation will provide an economic enhancement for the north country. Vote 17-2.

#### Amendment (0727h)

Amend the title of the bill by replacing it with the following:

AN ACT increasing the size limitations for OHRVs operating on state-owned trails in Coos and Grafton counties.

Amend the bill by replacing section 1 with the following:

1 ATV and Trail Bike Operation on State Lands; Size Limitations Increased. Amend RSA 215-A:43, IV to read as follows:

IV. No person shall operate an OHRV wider than 50 inches or over 1000 pounds on any state-owned trails, *except that no person shall operate an OHRV wider than 62 inches or over 1,700 pounds on any state-owned trails in Coos or Grafton counties.*

#### AMENDED ANALYSIS

This bill increases the width and weight limitations for OHRVs that operate on state-owned trails in Coos and Grafton counties.

**HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Alfred P. Baldasaro for State-Federal Relations and Veterans Affairs: This bill is a fix on three areas for veterans who do not have a DD 214; one, it adds a DD form for the Air/Army National Guard to register their vehicles with a veteran plate or property taxes. The statement of service is for active duty stationed in New Hampshire to be used for veterans' plates and veterans' property tax credit. The change to Title 10 is a fix for the Air/Army National Guard members' active time to be accounted towards qualifications for veteran benefits. Vote 15-0.

#### Amendment (0794h)

Amend the bill by replacing section 1 with the following:

1 Documents Used to Establish Veteran Status. Amend RSA 21:50, I(b)(21) to read as follows:

(21) *Notarized statement of service letter signed by the individual's commanding officer or administrative officer.*

(22) *Completed DD FORM 4/2, October 2007 from the National Guard.*

(23) Other documents approved by the director, state office of veterans services.

#### AMENDED ANALYSIS

This bill adds a notarized statement of service letter and a completed DD FORM 4/2, October 2007 from the National Guard to the documents accepted to establish an individual's status as a veteran. This bill also specifies that training for active duty shall be included as service for purposes of the veterans' tax credit.

#### MOTION TO SUSPEND HOUSE RULES

Reps. Shurtleff and Chandler moved that House Rules be so far suspended as to allow consideration at the present time, without the required printing of a Committee Report in the House Calendar and, if passed, go to immediate 3<sup>rd</sup> reading, of **SB 199**, authorizing the attorney general to join the settlement of accrued claims relating to the non-participating tobacco manufacturers adjustment disputes for 2003 to 2011 and the 2012 non-participating tobacco manufacturers adjustment. Adopted by the necessary two-thirds vote.

#### CLERK'S NOTE

Although not in the House Calendar, the following statement was available to House members on this bill, **SB 199**, authorizing the attorney general to join the settlement of accrued claims relating to the non-participating tobacco manufacturers adjustment disputes for 2003 to 2011 and the 2012 non-participating tobacco manufacturers adjustment.

#### CONSIDERATION OF SB 199

**SB 199**, authorizing the attorney general to join the settlement of accrued claims relating to the non-participating tobacco manufacturers adjustment disputes for 2003 to 2011 and the 2012 non-participating tobacco manufacturers adjustment. **OUGHT TO PASS.**

Rep. Marjorie K. Smith for Judiciary: In response to a request by the Attorney General, the Republican and Democratic leaders of the House and Senate agreed to sponsor a bill to be heard by the legislature on an expedited basis. The bill seeks to settle a dispute between the tobacco companies and states that participated in the Tobacco Master Settlement Agreement. This settlement must be approved by the legislature by March 20, 2013 and on the governor's desk by March 22 to avoid significant risk of financial loss to the state. As described below, the tobacco companies have sued 35 states, alleging that they failed to adequately collect escrow funds from tobacco companies that did not join in the Master Settlement. This litigation has been going on for years and involves complaints concerning every year since 2003. The DOJ estimates that it has spent 1400 hours of attorney time per year so far and \$350,000 in additional litigation costs, without having started the first of at least ten hearings on the years in question. These litigation costs would likely increase significantly once the actual hearings were to begin. The potential liability to the state should it lose the lawsuit could extend to the complete loss of all funds due the state each year from 2003 until the litigation ended, a sum that could equal or exceed \$450,000,000. In 1998 the State of New Hampshire joined a nationwide lawsuit against the major tobacco manufacturers. That lawsuit was settled with adoption of the Tobacco Master Settlement Agreement (MSA). The MSA has three major components: 1) Participating Manufacturers are required to pay states an annual payment. 2) Non-Participating Manufacturers are required to pay into an escrow account on an annual basis going forward an amount of money based upon the number of cigarettes sold in the state. The escrow funds are not held by the state nor available to the state. 3) To receive their annual payments from the Participating Manufacturers, states are required to enforce the Non-Participating Manufacturers' obligation to pay into the escrow fund. For every year since 2003, the Participating Manufacturers have filed a claim alleging the states were not doing enough to ensure that Non- Participating Manufacturers were contributing to the escrow account. Trials are being held before a three judge arbitration panel for each year, starting with 2003. As part of that legal action the Participating Manufacturers reduced their payments to the states. For New Hampshire, the payment reduction has been roughly \$4 million annually. The states and the Participating Manufacturers have reached a settlement to this legal dispute. If New Hampshire joins the settlement: a) legal claims against the state by the Participating Manufacturers for years 2003 – 2015 will be resolved; b) adjustments will be made to the annual payments to the state over five years. In the first year, NH will receive more than our full annual payment. In the subsequent four years, New Hampshire will receive less than we used to receive under the MSA before this litigation but the deduction will be roughly consistent with what has been withheld by the tobacco companies since 2006. If New Hampshire does not join the settlement or the settlement is not approved: a) legal claims against the state by the Participating Manufacturers will be unresolved, exposing the state to increased legal costs and uncertainty over future MSA payments; b) participating Manufacturers will continue to withhold some of their annual payments. Because this is a settlement of a claim against the state, RSA 14:35-b requires that legislation be passed authorizing the settlement. In order for New Hampshire to participate in the settlement, legislation must be passed on or before March 22, 2013. The settlement itself, however, is unlikely to be finalized for a period of time as some of the non-settling states have indicated they will challenge the settlement. This additional litigation could take a number of years. Current assessment indicates that by agreeing to this settlement there will be a significant decrease in future risk to the state along with some small revenue benefit in future years. Vote 13-1.

Rep. Marjorie Smith spoke in favor.

Committee report adopted and ordered to third reading.

### RESOLUTION

Rep. Shurtleff moved that **SB 199**, authorizing the attorney general to join the settlement of accrued claims relating to the non-participating tobacco manufacturers adjustment disputes for 2003 to 2011 and the 2012 non-participating tobacco manufacturers adjustment, be read a third time and passed at the present time.

Adopted.

### Third reading and final passage

**SB 199**, authorizing the attorney general to join the settlement of accrued claims relating to the non-participating tobacco manufacturers adjustment disputes for 2003 to 2011 and the 2012 non-participating tobacco manufacturers adjustment.

**REGULAR CALENDAR - PART I****HB 584**, relative to covered prescription drugs. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Donald L. LeBrun for Health, Human Services and Elderly Affairs: An insurer issuing or renewing accident and health insurance policies may allow its insured participants to purchase up to a 90 day supply of covered prescription drugs on the covered persons health plan formulary at one time at the pharmacy of the insured's choice provided the insured can demonstrate the drug has been taken by the insured for a period of one year. This drug will not be subject to the health plans' utilization management or prior authorization or pre-certification process. Vote 14-0.

**Amendment (0807h)**

Amend the bill by replacing sections 1 and 2 with the following:

1 Covered Prescription Drugs. Amend RSA 415:6-aa to read as follows:

415:6-aa 90-Day Supply of Covered Prescription Drugs. An insurer issuing or renewing accident and health insurance policies shall allow its insureds to purchase an up-to-90-day supply of covered prescription drugs on the covered person's health plan formulary at one time *at a pharmacy of the insured's choice within the insurer's network*, provided that the insured can demonstrate that such drug has been taken by the insured for a continuous period of one year and provided that such drug is not subject to the health plan's utilization management, prior authorization, or pre-certification requirements. Controlled substances as identified by the United States Drug Enforcement Administration are exempt from this section. Nothing in this section shall be construed to limit the health plan's ability to establish co-payments, coinsurance deductibles, or other member cost shares. A *retail* pharmacy dispensing a 90-day supply of covered prescription drugs under this section ~~[shall]~~ *may* comply with any specified terms, conditions, and ~~[price]~~ *reimbursement rate, with no cost-sharing difference to the patient*, which the plan may require for *mail order* pharmacies that fill 90-day prescriptions.

2 Covered Prescription Drugs; Managed Care. Amend RSA 420:J-7-b, VIII to read as follows:

VIII. Every health benefit plan that provides prescription drug benefits shall allow its covered persons to purchase an up-to-90-day supply of covered prescription drugs on the covered person's health benefit plan formulary at one time *at a pharmacy of the insured's choice within the insurer's network*, provided that the insured can demonstrate that such drug has been taken by the insured for a continuous period of one year and provided that such drug is not subject to the health benefit plan's utilization management, prior authorization, or pre-certification requirements. Controlled substances as identified by the United States Drug Enforcement Administration are exempt from this paragraph. Nothing in this paragraph shall be construed to limit the health benefit plan's ability to establish co-payments, coinsurance deductibles, or other member cost shares. A *retail* pharmacy dispensing a 90-day supply of covered prescription drugs under this paragraph ~~[shall]~~ *may* comply with any specified terms, conditions, and ~~[price]~~ *reimbursement rate, with no cost-sharing difference to the patient*, which the health benefit plan may require for *mail order* pharmacies that fill 90-day prescriptions.

**AMENDED ANALYSIS**

This bill requires insurers to allow covered persons to purchase their 90-day supply of covered prescription drugs at the pharmacy of their choice within the insurer's network.

Rep. James MacKay moved Recommit and spoke in favor.

Adopted.

Recommitted to the Committee on Health, Human Services and Elderly Affairs.

**HB 297**, relative to the management of trust funds and capital reserve funds. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Bruce L. Tatro for the Majority of Municipal and County Government: This bill would change the way trust funds and capital reserve funds are managed. The majority of the committee felt there is no reason to change the present RSA. The committee had concerns about having records to be kept "off site" without defining what "off site" meant. Vote 14-1.

Rep. Kris E. Roberts for the Minority of Municipal and County Government: This bill will allow trustees to hire investment advisors to manage capital reserve funds without having to seek approval of the governing body of the community. Trustees report to the Charitable Trusts Unit, not the governing bodies. Without this bill, the governing body will continue the short-sighted practice of refusing monies for hiring advisors, which causes the capital reserve funds to languish in very low interest rate accounts -to the detriment of the community. The insertion of the words "investment advisor"

in the bill fixes clerical omissions in the implementation of the RSAs when investment advisors were added as allowable persons who could manage trust funds. Brokerage firms differ from investment advisors. Investment advisors are registered with the state of NH or the securities and exchange commission. Brokerage firms are regulated by FINRA. They have different business models. If a CPA firm manages money, the CPA firm must be registered as an investment advisor. Advisor fees are fully disclosed on the trustee's MS-10 annual report. Trustees regularly ask prospective advisors their fee schedule. Fees are disclosed in the trustee's minutes. The advisor contract contains the fee schedule. Most capital reserve funds (90%) carry balances forward each year. Cap reserves funds need to be invested more long term than they are right now. The trustees survey conducted last fall overwhelming supported this bill. A representative of the municipal association and a representative of the AG's office met last summer and helped craft the language of the bill.

Rep. Porter moved Recommit and spoke in favor.

Adopted.

Recommitted to the Committee on Municipal and County Government.

**HB 532**, relative to energy efficiency and clean energy districts. **WITHOUT RECOMMENDATION.**  
**Statement in support of Ought to Pass:** Rep. Marjorie A. Porter.

The ever increasing cost of fuel oil has placed a huge burden on many smaller local businesses as they struggle to heat their older commercial buildings. HB 532 with an amendment would set up a process by which municipalities can assist owners of commercial buildings obtain funding for energy-efficiency improvements. The considered amendment is the result of collaboration between the bill's sponsor and the NH Bankers Association and has the support of both. Committee members in favor of OTP/A feel this is a small business friendly bill, will help keep jobs in our communities, and will help conserve energy.

**Statement in support of Inexpedient to Legislate:** Rep. James E. Coffey.

This bill modifies RSA 53-F:1 which provides for municipal financing for energy conservation and efficiency improvements for privately owned buildings. Major changes include the elimination of a dollar cap and extension of the maximum repayment period from 20 to 30 years. One-half of a bipartisan group of the committee believes that this bill places municipalities in a position of excess risk, or into an activity that is better accomplished by other means.

Rep. Porter moved Recommit and spoke in favor.

Adopted.

Recommitted to the Committee on Municipal and County Government.

## **SPECIAL ORDER**

**HB 465**, repealing New Hampshire's atomic energy policy. **OUGHT TO PASS.**

Rep. Robert A. Backus for Science, Technology and Energy: The New Hampshire Atomic Energy Act, RSA 162-B, was passed in 1955 and no longer serves any practical purpose, since the state's interests with regard to atomic energy are found in various other statutes, including those dealing with nuclear plant decommissioning, transportation of nuclear waste, and radiological health and safety. However, the statute contains language that declares it the policy of New Hampshire to maximize the use of atomic energy. Since it appears that the General Court will be dealing with bills to update the New Hampshire energy policy, the majority found it both inappropriate and inconsistent to maintain a non-functional statute which, in effect, declares that atomic energy should continue to have a top priority when considering future energy options. In addition, in 1955 when the statute was enacted it was thought that nuclear energy would be extremely inexpensive ("too cheap to meter") and that there would be no serious problem with accidents, such as have since occurred at Three Mile Island, Chernobyl or Fukushima, or with safe disposal of high level nuclear waste. The repeal will have no effect on existing nuclear facilities, including the Seabrook nuclear plant. There was no testimony in opposition to the bill. Vote 13-3.

Rep. Borden moved Recommit and spoke in favor.

Adopted.

Recommitted to the Committee on Science, Technology and Energy.

## **SPECIAL ORDER**

**HB 305**, establishing a committee to study the apportionment formula for cooperative school districts for towns with electric generation facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Marjorie A. Porter for Municipal and County Government: This bill, as amended, establishes a committee to study tax obligations and state aid for towns and districts that have electric

generation facilities, including renewable generation facility subject to PILOT (payment in lieu of taxes) payments, and are part of a cooperative or regional school district. There seems to be some inconsistency in current law, and hopefully this committee could discover them and make recommendation for a fair allocation of taxes. Vote 12-4.

#### **Amendment (0471h)**

Amend the bill by replacing section 3 with the following:

3 Duties. The committee shall study tax obligations and state aid for towns and districts that have electric generation facilities, including renewable generation facilities subject to a payment in lieu of taxes under RSA 72:74, sited within the town or district. The committee shall study the laws governing the apportionment formula for cooperative and regional school districts, and may propose changes to remedy disproportionate tax assessments and tax obligations resulting from the electric generation facility. The committee may also study how electrical generation facilities affect the tax bases of surrounding municipalities and how the use of payments in lieu of taxes for renewable energy projects has worked, including whether the provisions in statute to establish them are sufficient to protect property taxpayers and whether they ensure proportionality.

Amendment adopted.

Committee report adopted and ordered to third reading.

Rep. Moffett declared a conflict of interest and did not participate.

#### **SPECIAL ORDER**

**HB 271**, stating that New Hampshire will not accept expanded Medicaid. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Laurie Harding for Majority of Health, Human Services and Elderly Affairs: The primary reason that the committee voted HB 271 inexpedient to legislate was because passage of this bill would close the door on further discussion related to Medicaid expansion. It was clear from the public hearing that those testifying (45-50 people) at the very least expected the legislature to continue to explore Medicaid expansion as an option for not only increasing the number of individuals in New Hampshire with health care coverage but also because it would be a vehicle for bringing hundreds of millions of federal dollars into the state. In fact, the federal law is clear that the federal financing / matching rate is: 100% for calendar years 2014, 2015, and 2016; 95% for calendar year 2017; 94% for 2018; 93% for 2019; and 90% for calendar year 2020 and each year thereafter. Section 1905(y)(1) of the Social Security Act, codified at 42 USC § 1396d(y)(1). The Medicaid expansion and its federal financing/matching rate are enshrined in federal law. Changing either of these federal government obligations would require an Act of Congress. In addition, the expansion is entirely voluntary; states can decide when to come into the expansion and they can decide when to leave. During the hearing, the committee heard from business people, representatives from insurance companies, hospitals, physicians, nurses, those suffering from and providers treating people with substance use disorders, as well as many others supporting Medicaid expansion. The ongoing themes of public testimony were related to: doing what is right by working people who are uninsured and have no regular access to health care, helping business owners who can't afford to offer coverage to their low-income employees, addressing the concerns of health care providers who now receive no compensation for treating people without health coverage and reducing the pressure on insurers to shift these uncompensated care costs onto all who pay for private health insurance premiums. The committee thinks that the conversation about Medicaid expansion is just beginning. An ITL vote on HB 271 allows the dialogue to continue. Vote 13-6.

Rep. Richard Meaney for the Minority of Health, Human Services and Elderly Affairs: This bill is needed to prevent Medicaid expansion in New Hampshire. Medicaid expansion is unaffordable. Medicaid rolls in New Hampshire would swell to include nearly one in every six New Hampshire residents. Even thousands of county and state inmates will be covered under expanded Medicaid, hamstringing current efforts to provide cost-efficient care. Many businesses that now provide private insurance will cease providing such insurance due to expensive federal mandates. The "\$2.5 billion federal dollars between 2014-2019" that would be coming to New Hampshire is a pretense and an expensive one at that. Every federal dollar spent today requires 42 cents of borrowing. "Federal dollars" are taxpayer dollars, many of which come from New Hampshire. New Hampshire residents will pay increased taxes and fees to support expanded Medicaid. The state budget will require at least \$15 million annually from 2014-2019 and subsequently an additional \$50-\$100 million annually to service the Medicaid pretense. If the federal promise to provide 90% of NH's expanded Medicaid



costs is fulfilled in a manner similar to the fulfillment of the Special Education promise (feds promised 40%, are delivering 17%), we will see NH's expanded Medicaid costs reach a quarter of a billion dollars per year. In the absence of cost controls and reform, we simply can't put more people into a broken system that doesn't work.

The question being adoption of the majority committee report of Inexpedient to Legislate. Reps. Dan McGuire and Meaney spoke against.

Rep. Harding spoke in favor.

Rep. William O'Brien spoke against and yielded to questions.

Rep. Sherman spoke in favor and yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

## YEAS 206 NAYS 155

### YEAS 206

#### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Flanders, Donald

Gulick, Ruth

#### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

#### GRAFTON

Aguiar, James  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Benn, Bernard  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

#### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Campbell, David  
Cote, David  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Katsiantonis, Thomas  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

Boisvert, Ronald  
Carroll, Douglas  
DiSilvestro, Linda  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kelley, John  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Booras, Efsthathia  
Chandley, Shannon  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Pantelakos, Laura  
Till, Mary

Borden, David  
Cali-Pitts, Jacqueline  
Heffron, Frank  
McMahon, Charles  
Scarlotto, Joe  
Ward, Gerald

Briden, Steven  
Cushing, Robert Jr  
Helmstetter, Barbara  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Burdwood, Greg  
Grossman, Kenneth  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Bickford, David  
Ginsburg, Philip  
Horrigan, Timothy  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

**SULLIVAN**

Cloutier, John  
O'Hearne, Andrew

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Irwin, Virginia  
Tanner, Linda

**NAYS 155****BELKNAP**

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

Fields, Dennis  
Luther, Robert  
Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Johnson, Jane

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Daniels, Gary

Belanger, James  
Cebrowski, John  
Danielson, David

Boehm, Ralph  
Christiansen, Lars  
Flanagan, Jack

Burt, John  
Coffey, James  
Gagne, Larry

Garcia, Michael  
 Hikel, John  
 Kurk, Neal  
 Marston, Dick  
 Murphy, Kelleigh  
 Ober, Lynne  
 Pelleggrino, Tony  
 Rowe, Robert  
 Stroud, Kathleen  
 Vaillancourt, Steve

Graham, John  
 Hinch, Richard  
 Lambert, George  
 Martel, Andre  
 Notter, Jeanine  
 Ober, Russell III  
 Peterson, Lenette  
 Sanborn, Laurie  
 Sweeney, Shawn  
 Villeneuve, Moe

Haefner, Robert  
 Infantine, William  
 LeBrun, Donald  
 Meaney, Richard  
 O'Brien, William  
 Palmer, Stephen  
 Pratt, Calvin  
 Sandblade, Emily  
 Takesian, Charlene  
 Warden, Mark

Hansen, Peter  
 Jasper, Shawn  
 LeVasseur, Richard  
 Murphy, Keith  
 O'Flaherty, Tim  
 Parison, James  
 Renzullo, Andrew  
 Straight, Philip  
 Ulery, Jordan  
 Willette, Robert

### MERRIMACK

Hoell, J.R.  
 Smith, Todd

Kotowski, Frank  
 Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
 Birdsell, Regina  
 Copeland, Timothy  
 Duarte, Joe  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Hagan, Joseph  
 Itse, Daniel  
 Major, Norman  
 O'Connor, John  
 Priestley, Anne  
 Sedensky, John  
 Tamburello, Daniel  
 Tucker, Pamela

Allen, Mary  
 Charron, Gene  
 Danais, Romeo  
 Dumaine, Dudley  
 Fesh, Robert  
 Gordon, Richard  
 Harris, Jeffrey  
 Kappler, Lawrence  
 McKinney, Betsy  
 Packard, Sherman  
 Sanders, Elisabeth  
 St. James, Kevin  
 Tasker, Kyle  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Chirichiello, Brian  
 DeSimone, Debra  
 Elliott, Robert  
 Friel, William  
 Grace, Curtis  
 Hodgdon, Bruce  
 Khan, Aboul  
 Milz, David  
 Peckham, Michele  
 Sapareto, Frank  
 Sweeney, Joe  
 Thompson, David  
 Webb, James Sr

Bick, Patrick  
 Comerford, Timothy  
 Devine, James  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 Nigrello, Robert  
 Perkins, Lawrence  
 Schroadter, Adam  
 Sytek, John  
 Tremblay, Stella  
 Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
 Parsons, Robbie

Gray, James  
 Pitre, Joseph

Groen, Warren

Jones, Laura

### SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

and the majority committee report was adopted.

### SPECIAL ORDER

**HB 454**, requiring consent prior to the installation of smart meters. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Nickolas J. Levasseur for the Majority of Science, Technology and Energy: This bill would have required utilities to gain consent prior to installing what the bill defined as a "smart meter." Smart meters are electronic metering devices which typically have the ability to transmit metering data electronically. This particular bill sought to specifically address those which transmit using wireless technology and did not address those which use wired technology (both are currently in use in NH today). A smart meter is distinct from another type of device known as a "smart meter gateway device," or simply "gateway." A gateway device is one which, in addition to reading the meter, also has the ability to track individual appliances and devices within the home and, in some cases, activate or deactivate those devices. Gateway devices are covered under current law and consent is required in order to install them. The smart meters targeted in this bill have no such in home monitoring ability and are designed solely for remote meter reading and outage reporting. In New Hampshire all components of a property's service line up to and including the meter are owned by the utility. Therefore, the installation, maintenance, and technology are all the financial and logistical responsibility of the utility. The electrical customer owns everything beyond the meter. The committee heard testimony that these meters presented a plethora of medical conditions, environmental issues, and privacy issues. Opponents of these meters claimed that the information collected by these meters

could be used for nefarious purposes including knowing which rooms and devices an individual is using are even aiding in burglary. The majority committee found these claims to be without basis. The intermittent wireless signals used by these devices are roughly 1/4 of the strength of that of a cell phone and no concrete evidence was provided to verify the health or environmental impacts. The majority of the committee felt that the privacy argument also lacked merit as these devices are only capable of reading usage and would have no specific location information associated with it. The committee felt that having an actual meter reader physically go onto a customer's property each month posed a greater potential security and privacy risk to the customer than these meters doing the job remotely. Ultimately, the committee felt that this issue failed to meet the threshold needed for legislation. As customers, we do not own our meters. Forcing the utilities to provide boutique equipment without sufficient basis is not warranted. Vote 15-3.

Rep. Laurence M. Rappaport for the Minority of Science, Technology and Energy: The minority feels that the current law does not go far enough to protect the privacy of individual rate-payers. It believes that meters which can communicate with the utility headquarters and which may be reprogrammed by the company without knowledge or consent of the user but otherwise cannot control appliances should also be subject to rate-payer approval.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Todd Smith spoke against.

Rep. Nickolas Levasseur spoke in favor and yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

## YEAS 232 NAYS 124

### YEAS 232

#### BELKNAP

Arsenault, Beth  
Gulick, Ruth  
Vadney, Herbert

DiMartino, Lisa  
Holmes, Stephen

Fields, Dennis  
Huot, David

Flanders, Donald  
Raymond, Ian

#### CARROLL

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Umberger, Karen

Chandler, Gene

Lavender, Tom

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Emerson, Susan  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Butynski, William  
Johnsen, Gladys  
Mann, John  
Robertson, Timothy  
Weber, Lucy

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

#### GRAFTON

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Piper, Wendy  
Townsend, Charles

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Nordgren, Sharon  
Smith, Suzanne

Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

#### HILLSBOROUGH

Backus, Robert  
Boisvert, Ronald  
Carroll, Douglas

Beaulieu, Jane  
Booras, Efstathia  
Chandley, Shannon

Belanger, James  
Brown, Pamela  
Christiansen, Lars

Boehm, Ralph  
Campbell, David  
Connor, Evelyn

Cote, David  
 Gargas, Carolyn  
 Graham, John  
 Hansberry, Daniel  
 Jasper, Shawn  
 Knowles, Mary Ann  
 Levesque, Melanie  
 McNamara, Richard  
 Rhodes, Brian  
 Stroud, Kathleen  
 Vaillancourt, Steve

DiSilvestro, Linda  
 Goley, Jeffrey  
 Hackel, Paul  
 Harriott-Gathright, Linda  
 Jeudy, Jean  
 Kopka, Angeline  
 Long, Patrick  
 O'Flaherty, Tim  
 Schmidt, Janice  
 Sullivan, Peter  
 Walsh, Robert Jr

Gage, Ruth  
 Gorman, Mary  
 Haefner, Robert  
 Heden, Ruth  
 Katsiantonis, Thomas  
 Leishman, Peter  
 MacKay, Mariellen  
 Porter, Marjorie  
 Shattuck, Gilman  
 Takesian, Charlene  
 Williams, Kermit

Gale, Sylvia  
 Grady, Brenda  
 Hammond, Jill  
 Jack, Martin  
 Kelley, John  
 Levasseur, Nickolas  
 McCloskey, David  
 Ramsey, Peter  
 Shaw, Barbara  
 Vail, Suzanne  
 Woodbury, David

### MERRIMACK

Alicea, Caroletta  
 Carey, Lorrie  
 Frambach, Mary  
 Henle, Paul  
 Kelly, Sally  
 MacKay, James  
 Rice, Chip  
 Schuett, Dianne  
 Wallner, Mary Jane

Andrews, Christopher  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Kidder, David  
 McGuire, Dan  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walz, Mary Beth

Bartlett, Christy  
 Davis, Frank  
 French, Barbara  
 Hunt, Jane  
 Kotowski, Frank  
 Moffett, Howard  
 Rogers, Katherine  
 Tilton, Joy  
 Watrous, Rick

Bouchard, Candace  
 Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 Lockwood, Priscilla  
 Patten, Dick  
 Schamberg, Thomas  
 Turcotte, Alan  
 Webb, Leigh

### ROCKINGHAM

Abrami, Patrick  
 Burtis, Elizabeth  
 Copeland, Timothy  
 Emerson-Brown, Rebecca  
 Garcia, Marilinda  
 Hoelzel, Kathleen  
 Mann, Maureen  
 Nigrello, Robert  
 Schlachman, Donna  
 Ward, Gerald

Andrews-Ahearn, E. Elaine  
 Cahill, Michael  
 Cushing, Robert Jr  
 Fesh, Robert  
 Grace, Curtis  
 Khan, Aboul  
 Milz, David  
 Pantelakos, Laura  
 Sherman, Thomas  
 Waterhouse, Kevin

Borden, David  
 Cali-Pitts, Jacqueline  
 Devine, James  
 Flockhart, Eileen  
 Heffron, Frank  
 Lovejoy, Patricia  
 Moody, Marcia  
 Perkins, Lawrence  
 Sytek, John  
 Wazlaw, Brian

Briden, Steven  
 Charron, Gene  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Helmstetter, Barbara  
 Major, Norman  
 Muns, Chris  
 Scarlotto, Joe  
 Till, Mary

### STRAFFORD

Baber, William  
 Burdwood, Greg  
 Gray, James  
 Kaen, Naida  
 Perry, Robert  
 Spainhower, Dale  
 Wall, Janet

Berube, Roger  
 Gardner, Janice  
 Grossman, Kenneth  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Spang, Judith  
 Ward, Kenneth

Bickford, David  
 Ginsburg, Philip  
 Hooper, Dorothea  
 Menear, H. Robert III  
 Schmidt, Peter  
 Stevens, Audrey

Bixby, Peter  
 Grassie, Anne  
 Horrigan, Timothy  
 Miller, David  
 Smith, Marjorie  
 Verschueren, James

### SULLIVAN

Cloutier, John  
 O'Hearne, Andrew

Gagnon, Raymond  
 Schmidt, Andrew

Gottling, Suzanne  
 Sweeney, Cynthia

Irwin, Virginia  
 Tanner, Linda

### NAYS 124

#### BELKNAP

Burchell, Richard  
 Greemore, Robert Jr  
 Worsman, Colette

Comtois, Guy  
 Luther, Robert

Cormier, Jane  
 Sylvia, Michael

Fink, Charles  
 Tilton, Franklin

### CARROLL

Ahlgren, Christopher  
 Mellow, Harry  
 Wright, Donald

Cordelli, Glenn  
 Nelson, Bill

Crawford, Karel  
 Ticehurst, Susan

McConkey, Mark  
 White, Syndi

**CHESHIRE**

None

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Gionet, Edmond

Reilly, Harold Sr

**HILLSBOROUGH**

Barry, Richard

Burt, John

Byron, Frank

Cebrowski, John

Coffey, James

Daniels, Gary

Danielson, David

Flanagan, Jack

Gagne, Larry

Garcia, Michael

Hansen, Peter

Hikel, John

Hinch, Richard

Infantine, William

Kurk, Neal

Lambert, George

LeBrun, Donald

LeVasseur, Richard

Manley, Jonathan Sr

Marston, Dick

Martel, Andre

Meaney, Richard

Murphy, Keith

Murphy, Kelleigh

Nelson, Mary

Notter, Jeanine

O'Brien, William

Ober, Lynne

Ober, Russell III

Palmer, Stephen

Parison, James

Pellegrino, Tony

Peterson, Lenette

Pratt, Calvin

Renzullo, Andrew

Rowe, Robert

Sanborn, Laurie

Sandblade, Emily

Smith, Timothy

Soucy, Timothy

Straight, Philip

Sullivan, Daniel

Sweeney, Shawn

Ulery, Jordan

Villeneuve, Moe

Warden, Mark

Willette, Robert

Winters, Joel

**MERRIMACK**

Burns, Scott

Hoell, J.R.

McGuire, Carol

Ratzki, Mario

Smith, Todd

Walsh, Thomas IV

**ROCKINGHAM**

Allen, Mary

Baldasaro, Alfred

Bick, Patrick

Birdsell, Regina

Chirichiello, Brian

Comerford, Timothy

Danaïs, Romeo

DeSimone, Debra

Duarte, Joe

Dumaine, Dudley

Elliott, Robert

Ferrante, Beverly

Friel, William

Gordon, Richard

Griffin, Mary

Hagan, Joseph

Harris, Jeffrey

Hodgdon, Bruce

Itse, Daniel

Kappler, Lawrence

Kolodziej, Walter

McKinney, Betsy

McMahon, Charles

O'Connor, John

Packard, Sherman

Peckham, Michele

Priestley, Anne

Sanders, Elisabeth

Sapareto, Frank

Schroadter, Adam

Sedensky, John

St.James, Kevin

Sweeney, Joe

Tamburello, Daniel

Thompson, David

Tremblay, Stella

Tucker, Pamela

Webb, James Sr

Weyler, Kenneth

Whittemore, Lisa

**STRAFFORD**

Beaudoin, Steven

Groen, Warren

Jones, Laura

Parsons, Robbie

Pitre, Joseph

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

and the majority committee report was adopted.

**SPECIAL ORDER****HB 630-FN**, repealing the New Hampshire regional greenhouse gas initiative program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John E. Mann for Science, Technology and Energy: This bill, as amended, will require that at least 20% of the RGGI proceeds that are not returned to ratepayers, as currently required by law, are allocated for energy efficiency improvements in low-income households. Vote 16-3.

**Amendment (0712h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the use of proceeds from the regional greenhouse gas initiative program.

Amend the bill by replacing all after the enacting clause with the following:

1 Use of Auction Proceeds. Amend RSA 125-O:23, III to read as follows:

III. All remaining proceeds received by the state from the sale of allowances shall be allocated by the commission as an additional source of funding to electric distribution companies for core energy efficiency programs that are funded by SBC funds. *In allocating the proceeds, the commission shall first allocate at least 20 percent of the amount of the proceeds to the low-income core energy efficiency program.*

2 Effective Date. This act shall take effect July 1, 2013.

### AMENDED ANALYSIS

This bill requires the public utilities commission to allocate certain proceeds from the energy efficiency fund to the low-income core energy efficiency program.

Rep. Borden spoke in favor.

Rep. Tucker requested a roll call; sufficiently seconded.

### YEAS 204 NAYS 153

#### YEAS 204 BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

#### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

#### GRAFTON

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Smith, Suzanne

#### HILLSBOROUGH

Backus, Robert  
Booras, Efstathia  
Chandlee, Shannon  
Gage, Ruth  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Barry, Richard  
Brown, Pamela  
Connor, Evelyn  
Gagne, Larry  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Schmidt, Janice  
Soucy, Timothy  
Takesian, Charlene  
Winters, Joel

Beaulieu, Jane  
Campbell, David  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Leishman, Peter  
MacKay, Mariellen  
Porter, Marjorie  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne  
Woodbury, David

Boisvert, Ronald  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Katsiantonis, Thomas  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Ramsey, Peter  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	Kidder, David	Lockwood, Priscilla
MacKay, James	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Copeland, Timothy	Cushing, Robert Jr
Emerson-Brown, Rebecca	Flockhart, Eileen	Heffron, Frank	Helmstetter, Barbara
Lovejoy, Patricia	Mann, Maureen	McKinney, Betsy	Moody, Marcia
Muns, Chris	Nigrello, Robert	Pantelakos, Laura	Schlachman, Donna
Sherman, Thomas	Till, Mary	Ward, Gerald	Wazlaw, Brian
Whittemore, Lisa			

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Grossman, Kenneth
Horrigan, Timothy	Kaen, Naida	Malloy, Dennis	Menear, H. Robert III
Miller, David	Perry, Robert	Rogers, Rose Marie	Schmidt, Peter
Smith, Marjorie	Spainhower, Dale	Spang, Judith	Stevens, Audrey
Verschueren, James	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia	Tanner, Linda

**NAYS 153****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fink, Charles
Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen	Luther, Robert
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Worsman, Colette

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Morrow, Harry	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Donald		

**CHESHIRE**

Johnson, Jane

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
---------------------	---------------------	---------------

**GRAFTON**

Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond	Ladd, Rick Jr
Reilly, Harold Sr			

**HILLSBOROUGH**

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Christiansen, Lars	Coffey, James	Daniels, Gary
Danielson, David	Flanagan, Jack	Garcia, Michael	Graham, John



Haefner, Robert  
 Infantine, William  
 Lambert, George  
 Martel, Andre  
 Nelson, Mary  
 Ober, Lynne  
 Pellegrino, Tony  
 Rowe, Robert  
 Stroud, Kathleen  
 Villeneuve, Moe

Hansen, Peter  
 Jasper, Shawn  
 LeBrun, Donald  
 Meaney, Richard  
 Notter, Jeanine  
 Ober, Russell III  
 Peterson, Lenette  
 Sanborn, Laurie  
 Sweeney, Shawn  
 Warden, Mark

Hikel, John  
 Kelley, John  
 LeVasseur, Richard  
 Murphy, Keith  
 O'Brien, William  
 Palmer, Stephen  
 Pratt, Calvin  
 Sandblade, Emily  
 Ulery, Jordan  
 Willette, Robert

Hinch, Richard  
 Kurk, Neal  
 Marston, Dick  
 Murphy, Kelleigh  
 O'Flaherty, Tim  
 Parison, James  
 Renzullo, Andrew  
 Straight, Philip  
 Vaillancourt, Steve

### MERRIMACK

Hoell, J.R.  
 Smith, Todd

Kotowski, Frank  
 Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
 Birdsell, Regina  
 Danais, Romeo  
 Dumaine, Dudley  
 Fesh, Robert  
 Gordon, Richard  
 Harris, Jeffrey  
 Kappler, Lawrence  
 McMahon, Charles  
 Peckham, Michele  
 Sapareto, Frank  
 Sweeney, Joe  
 Thompson, David  
 Webb, James Sr

Allen, Mary  
 Charron, Gene  
 DeSimone, Debra  
 Elliott, Robert  
 Friel, William  
 Grace, Curtis  
 Hodgdon, Bruce  
 Khan, Aboul  
 Milz, David  
 Perkins, Lawrence  
 Schroadter, Adam  
 Sytek, John  
 Tremblay, Stella  
 Weyler, Kenneth

Baldasaro, Alfred  
 Chirichiello, Brian  
 Devine, James  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 O'Connor, John  
 Priestley, Anne  
 Sedensky, John  
 Tamburello, Daniel  
 Tucker, Pamela

Bick, Patrick  
 Comerford, Timothy  
 Duarte, Joe  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Hagan, Joseph  
 Itse, Daniel  
 Major, Norman  
 Packard, Sherman  
 Sanders, Elisabeth  
 St.James, Kevin  
 Tasker, Kyle  
 Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
 Hooper, Dorothea

Bickford, David  
 Jones, Laura

Gray, James  
 Parsons, Robbie

Groen, Warren  
 Pitre, Joseph

### SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

and the committee amendment was adopted.

Committee report adopted and ordered to third reading.

Rep. Moffett declared a conflict of interest and did not participate.

### SPECIAL ORDER

**HB 242**, relative to child passenger restraint requirements. **OUGHT TO PASS WITH AMENDMENT.**  
 Rep. Elizabeth B. Burtis for Transportation: This bill, as amended, brings the New Hampshire child restraint law closer to the nationally accepted best practice for child safety and changes the height restriction for requiring a child restraint device to 56" and changes the age restriction to six years of age increasing the existing law the age by one year and the height one inch. Medical and safety experts advocated for the passage of this bill. The majority of the committee felt the safety of New Hampshire's children to be the most important consideration when voting on this bill. Vote 12-3.

### Amendment (0454h)

Amend the bill by replacing section 1 with the following:

1 Rules of the Road; Child Restraint System. Amend RSA 265:107-a, I-b to read as follows:

I-b. No person shall drive a motor vehicle on any way while carrying as a passenger a person less than [6] 7 years of age unless such passenger is properly fastened and secured by a child restraint system which is in accordance with the safety standards approved by the United States Department of Transportation in 49 C.F.R. section 571.213. If the passenger is [55] 56 inches or more in height, the provisions of this paragraph shall not apply.

**AMENDED ANALYSIS**

This bill increases the height exception to the child restraint system requirement for motor vehicle operation and adds 6-year-old children to the requirement.

Amendment adopted.

Rep. James Webb offered floor amendment (0806h).

**Floor Amendment (0806h)**

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Paragraph; Child Passenger Restraints; Seating. Amend RSA 265:107-a by inserting after paragraph I-b the following new paragraph:

I-c. No person shall drive a motor vehicle on any way with a passenger who is less than 7 years of age unless such passenger is in the back seat of the vehicle and restrained in accordance with paragraph I or I-b, as applicable. This prohibition shall not apply if the vehicle does not have a back seat or if there are more passengers less than 7 years of age than the back seat can accommodate. If the absence of a back seat or the number of passengers requires the placement of a passenger less than 7 years of age in the front seat, the driver shall, if possible, disable the air bag in front of such passenger.

**AMENDED ANALYSIS**

This bill increases the height exception to the child restraint system requirement for motor vehicle operation and adds 6-year-old children to the requirement. This bill also requires that passengers less than 7 years of age ride in the back seat, unless the vehicle does not have a back seat or cannot accommodate all such passengers.

Rep. James Webb spoke in favor and yielded to questions.

Rep. Sally Kelly spoke against and yielded to questions.

On a division vote, 63 members having voted in the affirmative and 290 in the negative, floor amendment (0806h) failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Dan McGuire requested a roll call; sufficiently seconded.

**YEAS 224 NAYS 137****YEAS 224****BELKNAP**

DiMartino, Lisa  
Luther, Robert

Gulick, Ruth  
Raymond, Ian

Holmes, Stephen  
Tilton, Franklin

Huot, David

**CARROLL**

Buco, Thomas  
Nelson, Bill

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

Lavender, Tom

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

**GRAFTON**

Almy, Susan  
Ford, Susan

Benn, Bernard  
Friedrich, Carol

Brown, Rebecca  
Gionet, Edmond

Cooney, Mary  
Harding, Laurie

Higgins, Patricia  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Ladd, Rick Jr  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Lauer, Linda  
Pastor, Beatriz  
Smith, Suzanne

Lovett, Sid  
Piper, Wendy  
Sykes, George

### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Coffey, James  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Hinch, Richard  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
Ramsey, Peter  
Shattuck, Gilman  
Sullivan, Daniel  
Willette, Robert

Beaulieu, Jane  
Campbell, David  
Connor, Evelyn  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Rhodes, Brian  
Smith, Timothy  
Takesian, Charlene  
Williams, Kermit

Boisvert, Ronald  
Carroll, Douglas  
Cote, David  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Judy, Jean  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Rosenwald, Cindy  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Booras, Efsthathia  
Chandley, Shannon  
DiSilvestro, Linda  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kelley, John  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Porter, Marjorie  
Rowe, Robert  
Spratt, Stephen  
Walsh, Robert Jr

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Danais, Romeo  
Flockhart, Eileen  
Helmstetter, Barbara  
Moody, Marcia  
Peckham, Michele  
Sherman, Thomas  
Waterhouse, Kevin

Borden, David  
Cali-Pitts, Jacqueline  
Devine, James  
Grace, Curtis  
Khan, Aboul  
Muns, Chris  
Priestley, Anne  
St.James, Kevin  
Wazlaw, Brian

Briden, Steven  
Charron, Gene  
Elliott, Robert  
Griffin, Mary  
Lovejoy, Patricia  
Packard, Sherman  
Schlachman, Donna  
Till, Mary  
Whittemore, Lisa

Burtis, Elizabeth  
Cushing, Robert Jr  
Emerson-Brown, Rebecca  
Heffron, Frank  
Mann, Maureen  
Pantelakos, Laura  
Sedensky, John  
Ward, Gerald

### STRAFFORD

Baber, William  
Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Miller, David  
Smith, Marjorie  
Verschueren, James

Berube, Roger  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Spainhower, Dale  
Wall, Janet

Bickford, David  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Grassie, Anne  
Horriggan, Timothy  
Meneay, H. Robert III  
Schmidt, Peter  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
O'Heame, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

**NAYS 137****BELKNAP**

Arsenault, Beth  
Fields, Dennis  
Sylvia, Michael

Burchell, Richard  
Fink, Charles  
Vadney, Herbert

Comtois, Guy  
Flanders, Donald  
Worsman, Colette

Cormier, Jane  
Greemore, Robert Jr

**CARROLL**

Ahlgren, Christopher  
Morrow, Harry

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
White, Syndi

McConkey, Mark  
Wright, Donald

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bradley, Lester

Doolan, Ralph Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Danielson, David  
Graham, John  
Infantine, William  
Lambert, George  
Martel, Andre  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Vaillancourt, Steve

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Haefner, Robert  
Jasper, Shawn  
LeBrun, Donald  
Meaney, Richard  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Schmidt, Janice  
Sullivan, Peter  
Villeneuve, Moe

Boehm, Ralph  
Christiansen, Lars  
Gagne, Larry  
Hansen, Peter  
Katsiantonis, Thomas  
LeVasseur, Richard  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Shaw, Barbara  
Sweeney, Shawn  
Warden, Mark

Burt, John  
Daniels, Gary  
Garcia, Michael  
Hikel, John  
Kurk, Neal  
Marston, Dick  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Straight, Philip  
Ulery, Jordan  
Winters, Joel

**MERRIMACK**

Hoell, J.R.  
McGuire, Carol

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Smith, Todd

Lockwood, Priscilla  
Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
DeSimone, Debra  
Ferrante, Beverly  
Garcia, Marilinda  
Hodgdon, Bruce  
Kolodziej, Walter  
Milz, David  
Sanders, Elisabeth  
Sweeney, Joe  
Tremblay, Stella

Allen, Mary  
Chirichiello, Brian  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Hoelzel, Kathleen  
Major, Norman  
Nigrello, Robert  
Sapareto, Frank  
Sytek, John  
Tucker, Pamela

Baldasaro, Alfred  
Comerford, Timothy  
Dumaine, Dudley  
Friel, William  
Hagan, Joseph  
Itse, Daniel  
McKinney, Betsy  
O'Connor, John  
Scarlotto, Joe  
Tamburello, Daniel  
Webb, James Sr

Bick, Patrick  
Copeland, Timothy  
Emerick, J. Tracy  
Garcia, Bianca  
Harris, Jeffrey  
Kappler, Lawrence  
McMahon, Charles  
Perkins, Lawrence  
Schroadter, Adam  
Thompson, David  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Pitre, Joseph

Groen, Warren

Jones, Laura

Parsons, Robbie

**SULLIVAN**

Rollins, Skip

Smith, Steven

and the committee report was adopted and ordered to third reading.

**SPECIAL ORDER**

**HB 659-FN-A**, increasing the tobacco tax. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary R. Cooney for the Majority of Ways and Means: This bill increases the cigarette tax from \$1.68 to \$1.88 for each pack of cigarettes, which restores the ten cent cut and increases it another ten cents. Each ten cent increase increases state revenue by approximately \$10M per year. New Hampshire prices will still be under neighboring states' price by 85 cents to \$2.07 per pack. Additionally, this bill raises the rate of tax on tobacco products other than cigarettes to 53.7 percent from 48 percent which is a comparable increase. The last section of the bill addresses the issue of the inventory or floor tax. This is the tax which is applied when the rate of tax changes to retail inventory. When the tax changes, retail stores have had a great deal of trouble paying the increases up front on behalf of their customers, the ultimate payers. The experiment in reduction of cigarette tax did not include a refund for inventory purchased prior to the reduction. This bill recognizes this fact and will only charge retailers on the second ten cent increase. It also solves a long standing problem by allowing store owners 60 days to collect the tax from customers before remitting it to the state. Vote 11-7.

Rep. Laurie J. Sanborn for the Minority of Ways and Means: This bill, as amended, increases the tax on cigarettes by 20 cents, from \$1.68 to \$1.88 per pack. This puts NH at a real competitive disadvantage in attracting cross border sales, not only in tobacco but also in retail, lottery, restaurants and more. This bill will hurt our state's small businesses and their ability to survive, and will damage our already fragile economy.

**Majority Amendment (0705h)**

Amend the bill by replacing sections 2-3 with the following:

2 Tobacco Products Other Than Cigarettes; Tax Rate Increased. Amend RSA 78:7-c to read as follows:

78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer is hereby imposed on tobacco products other than cigarettes at a rate of [48] 53.7 percent of the wholesale sales price. The tax under this section may be rounded to the nearest cent if the commissioner determines that the amount of tax would not thereby be made materially disproportionate. No such tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States. No such tax shall be imposed on premium cigars.

3 Applicability. Sections 1 and 2 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all cigarettes and taxable tobacco products other than cigarettes in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 20 days after the effective date of this act. One-half of the tax rate effective July 1, 2013 shall apply to such inventory and the difference, if any, in the amount paid previously on such inventory and 1/2 of the current effective rate of tax shall be paid within 60 days of the effective date of this act. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Rep. Abrami spoke against and yielded to questions.

Rep. Almy spoke in favor and yielded to questions.

Rep. Sanborn spoke against.

Rep. Ames spoke in favor.

Rep. Menear requested a roll call; sufficiently seconded

**YEAS 193 NAYS 167**

**YEAS 193  
BELKNAP**

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Lerandeau, Alfred
Ley, Douglas	Mann, John	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles	Young, Harry		

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne	

**GRAFTON**

Almy, Susan	Benn, Bernard	Brown, Rebecca	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Higgins, Patricia
Lovett, Sid	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Campbell, David	Chandley, Shannon	Connor, Evelyn	Cote, David
DiSilvestro, Linda	Gage, Ruth	Gale, Sylvia	Gargas, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Grady, Brenda	Hackel, Paul
Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda	Heden, Ruth
Jack, Martin	Judy, Jean	Kelley, John	Knowles, Mary Ann
Kopka, Angeline	Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie
Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr	McCloskey, David
McNamara, Richard	Porter, Marjorie	Ramsey, Peter	Rosenwald, Cindy
Schmidt, Janice	Shattuck, Gilman	Smith, Timothy	Spratt, Stephen
Sullivan, Peter	Vail, Suzanne	Walsh, Robert Jr	Williams, Kermit
Woodbury, David			

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bouchard, Candace	Burns, Scott
Carey, Lorrie	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	Frazer, June	French, Barbara	Gile, Mary
Hirsch, Geoffrey	Hunt, Jane	Karrick, David Jr	Kelly, Sally
Kidder, David	Lockwood, Priscilla	MacKay, James	Moffett, Howard
Patten, Dick	Ratzki, Mario	Rice, Chip	Richardson, Gary
Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen
Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick
Webb, Leigh			

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Copeland, Timothy	Cushing, Robert Jr
Danaïs, Romeo	Emerson-Brown, Rebecca	Flockhart, Eileen	Grace, Curtis
Heffron, Frank	Helmstetter, Barbara	Khan, Aboul	Lovejoy, Patricia
Mann, Maureen	Moody, Marcia	Muns, Chris	Pantelakos, Laura
Scarlottio, Joe	Schlachman, Donna	Sherman, Thomas	St.James, Kevin
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Grossman, Kenneth
Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Malloy, Dennis	Meneau, H. Robert III	Miller, David	Perry, Robert

Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Schmidt, Peter  
Stevens, Audrey

Smith, Marjorie  
Verschueren, James

Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
O'Heame, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

### NAYS 167

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Emerson, Susan  
Roberts, Kris

Hunt, John

Johnson, Jane

Parkhurst, Henry

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bradley, Lester  
Lauer, Linda

Doolan, Ralph Jr  
Reilly, Harold Sr

Gionet, Edmond

Ladd, Rick Jr

### HILLSBOROUGH

Barry, Richard  
Burt, John  
Christiansen, Lars  
Flanagan, Jack  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murphy, Kelleigh  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Sandblade, Emily  
Stroud, Kathleen  
Ulery, Jordan  
Willette, Robert

Belanger, James  
Byron, Frank  
Coffey, James  
Gagne, Larry  
Haefner, Robert  
Infantine, William  
Lambert, George  
Martel, Andre  
Nelson, Mary  
Ober, Lynne  
Pellegrino, Tony  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Vaillancourt, Steve  
Winters, Joel

Boehm, Ralph  
Carroll, Douglas  
Daniels, Gary  
Garcia, Michael  
Hansen, Peter  
Jasper, Shawn  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Rowe, Robert  
Soucy, Timothy  
Sweeney, Shawn  
Villeneuve, Moe

Boisvert, Ronald  
Cebrowski, John  
Danielson, David  
Gorman, Mary  
Hikel, John  
Katsiantonis, Thomas  
LeVasseur, Richard  
Murphy, Keith  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Sanborn, Laurie  
Straight, Philip  
Takesian, Charlene  
Warden, Mark

### MERRIMACK

Andrews, Christopher  
McGuire, Carol

Henle, Paul  
McGuire, Dan

Hoell, J.R.  
Smith, Todd

Kotowski, Frank  
Walsh, Thomas IV

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina

Allen, Mary  
Charron, Gene

Baldasaro, Alfred  
Chirichiello, Brian

Bick, Patrick  
Comerford, Timothy

DeSimone, Debra  
 Elliott, Robert  
 Friel, William  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Major, Norman  
 Nigrello, Robert  
 Perkins, Lawrence  
 Schroadter, Adam  
 Tamburello, Daniel  
 Waterhouse, Kevin

Devine, James  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Hagan, Joseph  
 Itse, Daniel  
 McKinney, Betsy  
 O'Connor, John  
 Priestley, Anne  
 Sedensky, John  
 Tasker, Kyle  
 Webb, James Sr

Duarte, Joe  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Harris, Jeffrey  
 Kappler, Lawrence  
 McMahon, Charles  
 Packard, Sherman  
 Sanders, Elisabeth  
 Sweeney, Joe  
 Thompson, David  
 Weyler, Kenneth

Dumaine, Dudley  
 Fesh, Robert  
 Gordon, Richard  
 Hodgdon, Bruce  
 Kolodziej, Walter  
 Milz, David  
 Peckham, Michele  
 Sapareto, Frank  
 Sytek, John  
 Tremblay, Stella

### STRAFFORD

Beaudoin, Steven  
 Jones, Laura

Bickford, David  
 Parsons, Robbie

Gray, James  
 Pitre, Joseph

Green, Warren

### SULLIVAN

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.

The House recessed at 12:35 p.m.

### RECESS

The House reconvened at 1:45 p.m.

### (Rep. Kaen in the Chair)

### REGULAR CALENDAR - PART II

#### ***HB 573-FN*, relative to the use of marijuana for medicinal purposes. **OUGHT TO PASS WITH AMENDMENT.****

Rep. Stephen J. Schmidt for Health, Human Services and Elderly Affairs: This bill provides that New Hampshire citizens who are diagnosed with a terminal, severely debilitating or chronic condition as defined in the law may be eligible to obtain therapeutic cannabis to relieve their pain and suffering. The law requires that a prospective patient establish a relationship with a health care provider for a minimum of three months. The health care provider must document that traditional medications have proven to be ineffective and failed to alleviate their pain and suffering. No health care provider will be required to participate in the program nor certify the use of therapeutic cannabis. The bill ensures that the use of therapeutic cannabis will be restricted to New Hampshire patients. Visitors with a valid medical use card from their home state will not be eligible to purchase or cultivate cannabis in New Hampshire. They will be protected from local or state prosecution if the cannabis in their possession does not exceed the amount allowed under New Hampshire law. The therapeutic cannabis program will be administered by the health and human services department (The Department). In addition, the program will be evaluated by the creation of a "therapeutic use of cannabis advisory council." This council will be comprised of members of the New Hampshire House, Senate, health and human services department, patients, health care providers, law enforcement and hospitals. This council will report to the Health and Human Services Oversight Committee and will evaluate all aspects of the bill to ensure that access to and use of cannabis is provided only to persons authorized for such purposes and report out any recommendations or deficiencies for either departmental or legislative correction. Lastly, the council will be required to prepare a report on the 5th year anniversary of the bill's passage opining as to whether the program should be continued or repealed and stating the reasons for their opinion. The committee concluded that the bill as proposed will provide relief to those chronically or terminally ill New Hampshire patients not responding to traditional medications while also providing a high level of control ensuring that therapeutic cannabis is strictly limited to those New Hampshire patients qualified. Vote 14-1.

#### **Amendment (0797h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the use of cannabis for therapeutic purposes.

Amend the bill by replacing all after the enacting clause with the following:



1 New Chapter; Use of Cannabis for Therapeutic Purposes. Amend RSA by inserting after chapter 126-V the following new chapter:

## CHAPTER 126-W

### USE OF CANNABIS FOR THERAPEUTIC PURPOSES

126-W:1 Definitions. In this chapter:

I. "Alternative treatment center" means a not-for-profit entity registered under RSA 126-W:7 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, and dispenses cannabis, and related supplies and educational materials, to qualifying patients.

II. "Alternative treatment center agent" means a principal officer, board member, employee, manager, or volunteer of an alternative treatment center who is 21 years of age or older and has not been convicted of a felony or any drug-related offense.

III. "Cannabis" means all parts of any plant of the Cannabis genus of plants, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, salt, derivative, mixture, or preparation of such plant, its seeds, or resin. Such term shall not include the mature stalks of such plants, fiber produced from such stalks, oil, or cake made from the seeds of such plants, any other compound, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seeds of such plants which are incapable of germination.

IV. "Cultivation location" means a locked and enclosed site, under the control of the qualifying patient or designated caregiver who has reported the location of the site to the department, where cannabis is cultivated in accordance with the provisions of this chapter. A cultivation location may be a closet, a room, a greenhouse, a building, or another enclosed area that is secured with one or more locks or other security devices.

V. "Department" means the department of health and human services.

VI. "Designated caregiver" means an individual:

- (a) Who is at least 21 years of age;
- (b) Who has agreed to assist with a qualifying patient's therapeutic use of cannabis;
- (c) Who has never been convicted of a felony or any drug-related offense; and
- (d) Who possesses a valid registry identification card issued pursuant to RSA 126-W:4.

VII.(a) "Provider" means a physician licensed to prescribe drugs to humans under RSA 329 and who possesses certification from the United States Drug Enforcement Administration to prescribe controlled substances. "Provider" shall also mean an advanced practice registered nurse licensed pursuant to RSA 326-B:18.

(b) If the qualifying patient's qualifying medical condition is post-traumatic stress disorder, the provider shall also be a licensed psychiatrist.

(c) For a visiting qualifying patient, "provider" means an individual licensed to prescribe drugs to humans in the state of the patient's residence and who possesses certification from the United States Drug Enforcement Administration to prescribe controlled substances.

VIII. "Provider-patient relationship" means at least a 3-month medical relationship between a licensed provider and a patient that includes an in-person exam, a history, a diagnosis, a treatment plan appropriate for the licensee's medical specialty, and documentation of all prescription drugs including name and dosage.

IX.(a). "Qualifying medical condition" means the presence of:

(1) Cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C currently receiving antiviral treatment, amyotrophic lateral sclerosis, muscular dystrophy, Crohn's disease, agitation of Alzheimer's disease, multiple sclerosis, chronic pancreatitis, or post-traumatic stress disorder; and

(2) A severely debilitating or terminal medical condition or its treatment that produces at least one of the following: cachexia, chemotherapy-induced anorexia, wasting syndrome, severe pain that has not responded to previously prescribed medication or surgical measures for more than 3 months, or for which other treatment options produced serious side effects, constant or severe nausea, moderate to severe vomiting, seizures, or severe, persistent muscle spasms.

(b) The commissioner may include a medical condition which is not listed in subparagraph (a) and which the commissioner determines, on a case by case basis, is severely debilitating or terminal, based upon the written request of a provider who furnishes written certification to the commissioner.

X. "Qualifying patient" means a resident of New Hampshire who has been diagnosed by a provider as having a qualifying medical condition and who possesses a valid registry identification card issued pursuant to RSA 126-W:4.

XI. "Registry identification card" means a document issued by the department pursuant to RSA 126-W:4 that identifies an individual as a qualifying patient or a designated caregiver.

XII. "Seedling" means a cannabis plant that has no flowers and is less than 12 inches in height and less than 12 inches in diameter.

XIII. "Therapeutic use" means the acquisition, possession, cultivation, preparation, use, delivery, transfer, or transportation of cannabis or paraphernalia relating to the administration of cannabis to treat or alleviate a qualifying patient's qualifying medical condition or symptoms or results of treatment associated with the qualifying patient's qualifying medical condition. It does not include:

(a) The use of cannabis by a designated caregiver who is not a qualifying patient; or

(b) Cultivation or purchase by a visiting qualifying patient; or

(c) Cultivation by a designated caregiver or qualifying patient who is not designated as being allowed to cultivate.

XIV. "Unusable cannabis" means any cannabis, other than usable cannabis, including the seeds, stalks, and roots of the plant.

XV. "Usable cannabis" means the dried leaves and flowers of the cannabis plant and any mixture or preparation thereof, but does not include the seeds, stalks, and roots of the plant and does not include the weight of any non-cannabis ingredients combined with cannabis and prepared for consumption as food or drink.

XVI. "Visiting qualifying patient" means a patient with a qualifying medical condition who is not a resident of New Hampshire or who has been a resident of New Hampshire for fewer than 30 days.

XVII. "Written certification" means documentation of a qualifying medical condition by a provider pursuant to rules adopted by the department pursuant to RSA 541-A for the purpose of issuing registry identification cards, after having completed a full assessment of the patient's medical history and current medical condition made in the course of a provider-patient relationship of at least 3 months in duration. The 3-month requirement for the provider-patient relationship required in this paragraph shall not apply if the provider issuing the written certification certifies that the onset of the patient's qualifying medical condition occurred within the past 3 months; and the certifying provider is primarily responsible for the patient's care related to his or her qualifying medical condition. The date of issuance and the patient's qualifying medical condition shall be specified on the written certification.

#### 126-W:2 Therapeutic Use of Cannabis Protections.

I. A qualifying patient shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or be denied any right or privilege for the therapeutic use of cannabis in accordance with this chapter, if the qualifying patient possesses, cultivates, or possesses and cultivates, an amount of cannabis that does not exceed the following:

(a) If the qualifying patient does not have a designated caregiver, for the possession and cultivation of cannabis that occurs at the cultivation location reported to the department, or while transporting cannabis and cannabis plants and seedlings to a new cultivation location that has been reported to the department within the prior 21 days:

(1) Six ounces of usable cannabis;

(2) Any amount of unusable cannabis; and

(3) Three mature cannabis plants and 12 seedlings, with a total canopy of no more than 50 square feet.

(b) If the qualifying patient is not at a cultivation location reported to the department:

(1) Two ounces of usable cannabis; and

(2) Any amount of unusable cannabis.

II. A designated caregiver shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or denied any right or privilege for the therapeutic use of cannabis in accordance with this chapter on behalf of a qualifying patient if the designated caregiver possesses or cultivates, or both, an amount of cannabis that does not exceed the following:

(a) If at the cultivation location reported to the department, or while transporting cannabis and cannabis plants and seedlings to a new cultivation location that has been reported to the department within the prior 21 days:

- (1) Six ounces of usable cannabis; and
- (2) Any amount of unusable cannabis; and
- (3) Three mature cannabis plants and 12 seedlings, with a total canopy of no more than

50 square feet.

(b) If not at a cultivation location reported to the department:

- (1) Two ounces of usable cannabis; and
- (2) Any amount of unusable cannabis.

III. A designated caregiver may receive compensation for costs, not including labor, associated with assisting a qualifying patient who has designated the designated caregiver to assist him or her with the therapeutic use of cannabis. Such compensation shall not constitute the sale of controlled substances.

IV.(a) A qualifying patient is presumed to be lawfully engaged in the therapeutic use of cannabis in accordance with this chapter if the qualifying patient possesses a valid registry identification card and possesses an amount of cannabis that does not exceed the amount allowed under this chapter.

(b) A designated caregiver is presumed to be lawfully engaged in assisting with the medical use of cannabis in accordance with this chapter if the designated caregiver possesses a valid registry identification card and possesses an amount of cannabis that does not exceed the amount allowed under this chapter.

(c) The presumptions made in subparagraphs (a) and (b) may be rebutted by evidence that conduct related to cannabis was not for the purpose of treating or alleviating the qualifying patient's qualifying medical condition or symptoms or effects of the treatment associated with the qualifying medical condition, in accordance with this chapter.

V. A valid registry identification card, or its equivalent, that is issued under the laws of another state, district, territory, commonwealth, or insular possession of the United States that allows, in the jurisdiction of issuance, a visiting qualifying patient to possess cannabis for therapeutic purposes, shall have the same force and effect as a valid registry identification card issued by the department in this state, provided that:

(a) The visiting qualifying patient shall also produce a statement from his or her provider stating that the visiting qualifying patient has a qualifying medical condition as defined in RSA 126-W:1, X; and

(b) A visiting qualifying patient shall not cultivate or purchase cannabis in New Hampshire or obtain cannabis from alternative treatment centers.

VI. A person otherwise entitled to custody of, or visitation or parenting time with, a minor shall not be denied such a right solely for conduct allowed under this chapter, and there shall be no presumption of neglect or child endangerment.

VII. For the purposes of medical care, including organ transplants, a qualifying patient's authorized use of cannabis in accordance with this chapter shall be considered the equivalent of the authorized use of any other medication used at the direction of a provider, and shall not constitute the use of an illicit substance.

VIII. A provider shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or be denied any right or privilege, including but not limited to a civil penalty or disciplinary action by the New Hampshire board of medicine or any other occupational or professional licensing entity, solely for providing written certifications, provided that nothing shall prevent a professional licensing entity from sanctioning a provider for failing to properly evaluate a patient's medical condition.

IX. An alternative treatment center shall not be subject to prosecution under state or municipal law; search or inspection, except by the department pursuant to RSA 126-W:7, XI; seizure; or penalty in any manner under state or municipal law for acting pursuant to this chapter and department rules to:

- (a) Acquire or purchase cannabis seeds, seedlings, plants, or cannabis from other sources;
- (b) Possess, cultivate, manufacture, or transport cannabis and seedlings; or
- (c) Deliver, transfer, supply, sell, or dispense cannabis and related supplies and educational

materials to qualifying patients and visiting qualifying patients who have designated the alternative treatment center to provide for them, to designated caregivers on behalf of the qualifying patients who have designated the alternative treatment center, or to other alternative treatment centers.

X. An alternative treatment center agent shall not be subject to arrest by state or local law enforcement, prosecution or penalty in any manner under state or municipal law, search, or be denied any right or privilege for working for an alternative treatment center pursuant to this chapter and department rules to engage in any of the actions listed in paragraph IX.

XI. Any cannabis, cannabis paraphernalia, licit property, or interest in licit property that is possessed, owned, or used in connection with the therapeutic use of cannabis as allowed under this chapter, or acts incidental to such use, shall not be seized or forfeited if the basis for the seizure or forfeiture is activity related to cannabis that is exempt from state criminal penalties under this chapter.

XII. An individual shall not be subject to arrest by state or local law enforcement, prosecution or penalty under state or municipal law, or be denied any right or privilege, including but not limited to a civil penalty or disciplinary action by a court or occupational or professional licensing entity, simply for being in the presence or vicinity of the therapeutic use of cannabis as allowed under this chapter.

XIII. If a state or local law enforcement agency or agent encounters an alternative treatment center or an individual who the agent or agency knows is an alternative treatment center agent, a designated caregiver, or a qualifying patient, or who credibly asserts he or she is an alternative treatment center agent, a designated caregiver, or a qualifying patient, the law enforcement agency or agent shall not provide any information from any cannabis-related investigation of the individual or entity to any law enforcement agency that does not recognize the protection of this chapter, and any prosecution of the individual or entity for a violation of this chapter shall be conducted pursuant to the laws of this state. This paragraph shall not apply in cases where the state or local law enforcement agency has probable cause to believe the person is distributing cannabis to a person who is not allowed to possess it under this chapter.

XIV. A person who ceases to be a qualifying patient or designated caregiver shall have 10 days after notification by the department to dispose of cannabis in one of the following ways:

(a) If the person was a designated caregiver and the qualifying patient who designated the caregiver is still a qualifying patient, but has designated a new caregiver or will cultivate plants himself or herself, the designated caregiver may transfer cannabis to the new person who will cultivate for the qualifying patient;

(b) The person may notify local law enforcement and request that they dispose of the cannabis; or

(c) The person may dispose of cannabis, after mixing cannabis with other ingredients such as soil to render it unusable.

#### 126-W:3 Prohibitions and Limitations on the Therapeutic Use of Cannabis.

I. A qualifying patient may use cannabis on privately-owned real property only with the permission of the property owner or in the case of leased property with the permission of the tenant in possession of the property, except that a tenant shall not allow a qualifying patient to smoke cannabis on rented property if smoking on the property violates the lease or the lessor's rental policies that apply to all tenants at the property. However, a tenant may permit a qualifying patient to use cannabis on leased property by ingestion or inhalation through vaporization even if smoking is prohibited by the lease or rental policies. For purposes of this chapter, vaporization shall mean the inhalation of cannabis without the combustion of the cannabis.

II. Nothing in this chapter shall exempt any person from arrest or prosecution for:

(a) Being under the influence of cannabis while:

(1) Operating a motor vehicle, commercial vehicle, boat, or vessel, or any other vehicle propelled or drawn by power other than muscular power; or

(2) In his or her place of employment, without the written permission of the employer; or

(3) Operating heavy machinery or handling a dangerous instrumentality.

(b) The use or possession of cannabis by a qualifying patient or designated caregiver for purposes other than for therapeutic use as permitted by this chapter;

(c) The smoking or vaporization of cannabis in any public place, including:

(1) A school bus, public bus, or other public vehicle; or

(2) A place of employment, without the written permission of the employer; or

(3) The grounds of any preschool, elementary, or secondary school; or

(4) Any correctional facility; or

(5) Any public park, public beach, public recreation center, public field, or youth center; or

(6) Any law enforcement facility.

III. Nothing in this chapter shall be construed to require:

(a) Any health insurance provider, health care plan, or medical assistance program to be liable for any claim for reimbursement for the therapeutic use of cannabis; or

(b) Any individual or entity in lawful possession of property to allow a guest, client, customer, or other visitor to use cannabis on or in that property; or

(c) Any accommodation of the therapeutic use of cannabis on the property or premises of any place of employment or on the property or premises of any jail, correctional facility, or other type of penal institution where prisoners reside or persons under arrest are detained. This chapter shall in no way limit an employer's ability to discipline an employee for ingesting cannabis in the workplace or for working while under the influence of cannabis.

IV. Any person who makes a fraudulent representation to a law enforcement official of any fact or circumstance relating to the therapeutic use of cannabis to avoid arrest or prosecution shall be guilty of a violation and shall be fined \$500, which shall be in addition to any other penalties that may apply for making a false statement or for the use of cannabis other than use undertaken pursuant to this chapter.

V. A qualifying patient or designated caregiver who is found to be in possession of cannabis outside of his or her home and is not in possession of his or her registry identification card may be subject to a \$100 fine.

VI. Any qualifying patient or designated caregiver who sells cannabis to another person who is not a qualifying patient or designated caregiver under this chapter shall be subject to the penalties specified in RSA 318-B:26, IX-a, shall have his or her registry identification card revoked, and shall be subject to other penalties as provided in RSA 318-B:26.

VII. The department may revoke the registry identification card of a qualifying patient or designated caregiver for violation of rules adopted by the department or for violation of any other provision of this chapter, and the qualifying patient or designated caregiver shall be subject to any other penalties established in law for the violation.

#### 126-W:4 Departmental Administration; Registry Identification Cards.

I. Except as provided in paragraph V, the department shall issue a registry identification card to a person applying as a qualifying patient who submits all of the following information:

- (a) Written certification as defined in RSA 126-W:1.
- (b) An application or a renewal application accompanied by the application or renewal fee.
- (c) A recent passport-sized photograph of the applicant's face.
- (d) Name, residential and mailing address, and date of birth of the applicant, except that if the applicant is homeless, no residential address is required.
- (e) Name, address, and telephone number of the applicant's provider.
- (f) Name, address, and date of birth of the applicant's designated caregiver, if any. A qualifying patient shall have only one designated caregiver.
- (g) Name of the alternative treatment center that the qualifying patient designates. A qualifying patient may designate no more than one alternative treatment center at any time.
- (h) Street address of the cultivation location, if any, if the qualifying patient does not have a designated caregiver.

(i) A statement signed by the applicant, pledging not to divert cannabis to anyone who is not allowed to possess cannabis pursuant to this chapter and acknowledging that his or her diversion of cannabis is punishable as a class B felony and revocation of his or her registry identification card, in addition to other penalties for the illegal sale of cannabis.

II.(a) Except as provided in paragraph V, the department shall issue a registry identification card to a person applying as a designated caregiver who submits all of the following information:

- (1) An application or a renewal application.
- (2) A recent passport-sized photograph of the applicant's face.
- (3) Name, residential and mailing address, and date of birth of the applicant.
- (4) Name, residential and mailing address, and date of birth of the qualifying patient for whom the applicant will act as designated caregiver, except that if the qualifying patient is homeless, no residential address is required. A designated caregiver shall act on behalf of only one qualifying patient.
- (5) Street address of the cultivation location, except that the designated caregiver may not include a cultivation location if the designated caregiver's qualifying patient has designated an alternative treatment center.

(6) A signed statement from the applicant agreeing to act as the designated caregiver for the qualifying patient named in the application and pledging not to divert cannabis to anyone who

is not allowed to possess cannabis pursuant to this chapter and acknowledging that the diversion of cannabis is punishable as a class B felony and revocation of one's registry identification card, in addition to other penalties for the illegal sale of cannabis.

(7) A person who is applying to be a designated caregiver shall submit the results of a state and federal criminal records check obtained through the department of safety. The department of safety may exchange necessary data including fingerprint data with the Federal Bureau of Investigation without disclosing that the records check is related to the provisions of this chapter and acts permitted by it.

(b) In the case of a designated caregiver applying for a renewal, the applicant shall submit a sworn statement that he or she has not been convicted of a felony or other drug-related offense.

III. The department shall verify the information contained in an application or renewal submitted pursuant to this section. The department shall approve or deny an application or renewal for a qualifying patient within 15 days of receipt of the application. The department shall approve or deny an application or renewal to serve as a designated caregiver within 45 days of receipt of the application. The department may deny an application or renewal only if the applicant did not provide the information required pursuant to this section, or if the applicant previously had a registry identification card revoked for violating the provisions of this chapter or rules adopted by the department, or if the department determines that the information provided was falsified or did not meet the requirements of this chapter or rules adopted by the department. The department shall notify an applicant of the denial of an application. An applicant who is aggrieved by a department decision may request an administrative hearing at the department.

IV. The department shall issue a registry identification card to a person applying as a qualifying patient or designated caregiver within 5 days of approving an application or renewal. Each registry identification card shall expire one year after the date of issuance, unless the provider states in the written certification that the certification should expire at an earlier specified date, then the registry identification card shall expire on that date. Registry identification cards shall contain all of the following:

(a) Name, mailing address, and date of birth of the qualifying patient or designated caregiver.

(b) The date of issuance and expiration date of the registry identification card.

(c) A random 10-digit identification number, containing at least 4 numbers and at least 4 letters, that is unique to the qualifying patient or the designated caregiver.

(d) A designation that the person is either a "qualifying patient" or a "designated caregiver." If the person is a designated caregiver, the identification card shall include the random 10-digit identification number of the qualifying patient for whom he or she is providing care.

(e) The registry identification number corresponding with the alternative treatment center the qualifying patient designated, if any.

(f) A passport-sized photograph of the qualifying patient's or designated caregiver's face.

(g) A statement that the qualifying patient or designated caregiver is permitted under state law to possess cannabis pursuant to this chapter for the medical use of the qualifying patient.

(h) A statement noting whether or not the cardholder is exempt from state penalties for cultivating cannabis. The statement shall be determined as follows:

(1) A qualifying patient is exempt from state penalties for cultivating cannabis in accordance with this chapter if he or she does not have a designated caregiver. If a qualifying patient has selected a designated caregiver, he or she is not exempt from state penalties for cultivating cannabis.

(2) A designated caregiver is exempt from state penalties for cultivating cannabis in accordance with this chapter if the designated caregiver's qualifying patient has not also designated an alternative treatment center. If the designated caregiver's qualifying patient has also designated an alternative treatment center, the designated caregiver is not exempt from state penalties for cultivating cannabis.

V. The department shall not issue a registry identification card to an applicant under 18 years of age who is applying as a qualifying patient unless:

(a) A custodial parent or legal guardian responsible for health care decisions for the qualifying patient submits a written certification from 2 providers, one of whom shall be a pediatrician.

(b) The applicant's provider has explained the potential risks and benefits of the therapeutic use of cannabis to the custodial parent or legal guardian with responsibility for health care decisions for the applicant; and

(c) The custodial parent or legal guardian with responsibility for health care decisions for the applicant consents in writing to:

- (1) Allow the applicant's therapeutic use of cannabis; and
- (2) Serve as the applicant's designated caregiver and control the acquisition of the cannabis and the frequency of the therapeutic use of cannabis by the applicant; and
- (3) The custodial parent or legal guardian completes an application in accordance with the requirements of paragraph I on behalf of the applicant.

VI. The department shall provide each approved qualifying patient and caregiver a statement with the registry identification card explaining federal law on the possession of cannabis and that possession of a state registry identification card does not protect a person from federal criminal penalties.

VII. The department shall track the number of qualifying patients who have designated each alternative treatment center and issue a monthly written statement to the alternative treatment center identifying the number of qualifying patients who have designated that alternative treatment center along with the registry identification numbers of each patient and each patient's designated caregiver.

VIII. In addition to the monthly reports, the department shall also provide written notice to an alternative treatment center which identifies the names and registration identification numbers of a qualifying patient and his or her designated caregiver whenever any of the following events occur:

(a) A qualifying patient designates the alternative treatment center to serve his or her needs under this chapter;

(b) An existing qualifying patient revokes the designation of the alternative treatment center;

or

(c) A qualifying patient who has designated the alternative treatment center loses his or her status as a qualifying patient under this chapter.

IX.(a) A qualifying patient shall notify the department before changing his or her designated caregiver or alternative treatment center.

(b) A qualifying patient and designated caregiver shall notify the department before changing his or her cultivation location.

(c) A qualifying patient shall notify the department of any change in his or her name or address within 10 days of such change. If the qualifying patient's certifying provider notifies the department in writing that the qualifying patient no longer suffers from a qualifying medical condition or should discontinue using cannabis for another compelling reason, the registry identification card shall become void upon notification by the department to the qualifying patient.

(d) When a qualifying patient or a designated caregiver notifies the department of any change to a name, address, or alternative treatment center, the department shall issue the qualifying patient or designated caregiver a new registry identification card with a new random 10-digit identification number within 20 days of receiving the updated information.

(e) If a qualifying patient notifies the department of a change in his or her designated caregiver and the prospective designated caregiver meets the requirements of this chapter, the department shall issue the designated caregiver a registry identification card with a new random 10-digit identification number within 50 days of receiving the designated caregiver's application.

(f) A qualifying patient or designated caregiver who fails to notify the department of any changes to his or her name, address, designated caregiver, or cultivation location shall be guilty of a violation and may be subject to a fine not to exceed \$150 under rules adopted by the department.

(g) If a qualifying patient or designated caregiver loses his or her registry identification card, he or she shall notify the department within 10 days of losing the card. Within 5 days after such notification, the department shall issue a new registry identification card with a new random 10-digit identification number. The fee for new registry cards shall be established in rules set by the department pursuant to RSA 541-A.

X. Mere possession of, or application for, a registry identification card shall not constitute probable cause or reasonable suspicion, nor shall it be used to support the search of the individual or property of the individual possessing or applying for the registry identification card. The possession of, or application for, a registry identification card shall not preclude the existence of probable cause if probable cause exists on other grounds.

XI.(a) The department shall create and maintain a confidential registry of each individual who has applied for and received a registry identification card as a qualifying patient or a designated caregiver in accordance with the provisions of this chapter. Each entry in the registry shall contain

the qualifying patient's or designated caregiver's name, mailing address, date of birth, date of registry identification card issuance, date of registry identification card expiration, random 10-digit identification number, street address at which the cannabis plants will be cultivated or possessed, effective date of any change of cultivation location, and registry identification number of the qualifying patient's designated alternative treatment center, if any. The confidential registry and the information contained in it shall be exempt from disclosure under RSA 91-A.

(b)(1) Except as specifically provided in this chapter, no person shall have access to any information about qualifying patients or designated caregivers in the department's confidential registry, or any information otherwise maintained by the department about providers and alternative treatment centers, except for authorized employees of the department in the course of their official duties and local and state law enforcement personnel who have detained or arrested an individual who claims to be engaged in the therapeutic use of cannabis.

(2) If a local or state law enforcement officer submits a sworn affidavit to the department affirming that he or she has probable cause to believe cannabis is possessed or cultivated at a specific address, an authorized employee for the department may disclose whether the location is associated with a qualifying patient, designated caregiver, cultivation location, or alternative treatment center location.

(3) If a local or state law enforcement officer submits a sworn affidavit to the department affirming that he or she has probable cause to believe a specific individual possesses or cultivates cannabis, an authorized employee for the department may disclose whether the person is a qualifying patient or a designated caregiver, provided that the law enforcement officer provides the person's name and address or name and date of birth.

(4) Counsel for the department may notify law enforcement officials about falsified or fraudulent information submitted to the department where counsel has made a legal determination that there is probable cause to believe the information is false or falsified.

XII. Within 5 days of learning of the death of a qualifying patient, a surviving family member, caretaker, executor, or the patient's designated caregiver shall notify the department that the qualifying patient has died. Within 5 days of learning of the death of a qualifying patient, the surviving family member, caretaker, executor, or the patient's designated caregiver shall either request that the local law enforcement agency remove any remaining cannabis or shall dispose of the cannabis in a manner that is specified in 126-W:2, XIV.

#### 126-W:5 Affirmative Defense.

I. Except as provided in RSA 126-W:3, it shall be an affirmative defense to any prosecution for an offense involving cannabis or cannabis paraphernalia intended for therapeutic use if:

(a) The defendant is a qualifying patient in possession of a valid registry identification card and at the time of arrest or prosecution was in possession of a quantity of cannabis that was not more than allowed under this chapter, and the qualifying patient was engaged in the therapeutic use of cannabis in accordance with the provisions of this chapter; or

(b)(1) The defendant is a designated caregiver in possession of a valid registry identification card and at the time of arrest or prosecution was in possession of a quantity of cannabis that was not more than allowed under this chapter; and

(2) The designated caregiver was engaged in the therapeutic use of cannabis on behalf of a qualifying patient in accordance with the provisions of this chapter.

If a defendant proves the elements of the affirmative defense listed in subparagraph (I)(a) or (b), the charges shall be dismissed with prejudice.

II. A person who is arrested or cited for possession, cultivation, or transportation of cannabis, or possession of cannabis paraphernalia, may raise as an affirmative defense that he or she is person with a qualifying medical condition who is not yet in possession of a valid registry identification card if:

(a) Prior to the arrest, the person submitted to the department a valid application to become a qualifying patient, complete with a written certification, but the person had not yet received a registry identification card from the department; and

(1) The person does not possess more than 2 ounces of usable cannabis and any amount of unusable cannabis, if the cannabis is not on the person's property; or

(2) If the cannabis is on the person's property, the person does not possess more than 6 ounces of usable cannabis and any amount of unusable cannabis and does not possess or is not cultivating more than 3 mature cannabis plants with a total canopy of no more than 50 square feet, and 12 seedlings, which shall be in a locked and enclosed location on the person's property.



(b) The affirmative defense under this section shall not be available to a person who has violated any of the provisions of RSA 126-W:3, I-IV.

(c) If a defendant proves the elements of the affirmative defense listed in this paragraph, the defendant shall be acquitted of any charge to which the defendant proved the affirmative defense.

III. A person who is arrested or cited for possession, cultivation, or transportation of cannabis, or possession of cannabis paraphernalia, prior to the date on which the department begins accepting registry identification card applications may raise as an affirmative defense that he or she is a person with a qualifying medical condition who is not yet in possession of a valid registry identification card if:

(a) The person produces a written statement signed by a provider stating that in the provider's professional opinion, after having completed a full assessment made in the course of a provider-patient relationship of at least 3 months duration, the person has a qualifying medical condition. The 3-month requirement for the provider-patient relationship required in this paragraph shall not apply if the provider issuing the written certification certifies that the onset of the patient's qualifying medical condition occurred within the past 3 months and the certifying provider is primarily responsible for the patient's care related to his or her qualifying medical condition; and

(1) The person does not possess more than 2 ounces of usable cannabis and any amount of unusable cannabis, if the cannabis is not on the person's property; and

(2) If the cannabis is on the person's property, the person does not possess more than 6 ounces of usable cannabis and any amount of unusable cannabis and does not possess or is not cultivating more than 3 mature cannabis plants with a total canopy of no more than 50 square feet, and 12 seedlings which shall be in a locked and enclosed location.

(b) The affirmative defense under this section shall not be available to a person who has violated any of the provisions of RSA 126-W:3, I-IV.

(c) If a defendant proves the elements of the affirmative defense listed in this paragraph, the defendant shall be acquitted of any charge to which the defendant proved the affirmative defense.

126-W:6 Departmental Rules.

I. Not later than 6 months days after the effective date of this chapter, the department shall adopt rules, pursuant to RSA 541-A, governing:

(a) The form and content of applications for issuance and renewals of registry identification cards for qualifying patients and designated caregivers.

(b) The form and content of providers' written certifications.

(c) Procedures for considering, approving, and denying applications for issuance and renewals of registry identification cards, and for revoking registry identification cards.

(d) Fees, pursuant to RSA 126-W:4, I(b) and paragraph II of this section for applications for registry identification cards, and pursuant to RSA 126-W:4, IX(g) for re-issuance of replacement registry identification cards.

(e) Fines pursuant to RSA 126-W:4, IX(f) for failure of the qualifying patient or designated caregiver to notify the department of any changes to his or her name, address, designated caregiver in the case of a qualifying patient, or cultivation location.

II. The department's rules shall establish application and renewal fees for registry identification cards in accordance with the following:

(a) The fee structure by the department for alternative treatment centers and registry identification cards shall generate revenues sufficient to offset all state expenses of implementing and administering this chapter; however,

(b) The department may accept donations from private sources without the approval of the governor and council in order to reduce the application and renewal fees for qualifying patients.

III.(a) Not later than one year after the effective date of this section, the department shall adopt rules, pursuant to RSA 541-A, governing alternative treatment centers and the manner in which it shall consider applications for registration certificates for alternative treatment centers, including, but not limited to:

(1) The form and content of registration and renewal applications.

(2) Administrative requirements.

(3) Security requirements, which shall include at a minimum, lighting, physical security, video security, alarm requirements, measures to prevent loitering, and on-site parking.

(4) Sanitary requirements.

(5) Electrical safety requirements.

(6) The specification of acceptable forms of picture identification that an alternative treatment center may accept when verifying a sale.

(7) Personnel requirements including how many volunteers an alternative treatment center is permitted to have and requirements for supervision.

(8) Labeling standards.

(9) Procedures for suspending or terminating the registration of alternative treatment centers that violate the provisions of this chapter or the rules adopted pursuant to this chapter, a schedule of fines for such violations, procedures for appealing any enforcement actions, and a schedule of fines.

(10) Procedures for inspections and investigations.

(11) Advertising restrictions, including a prohibition of misrepresentation and unfair practices.

(12) Permissible hours of operation.

(13) The fees for the processing and review of applications for registration as an alternative treatment center and regulation of an alternative treatment center after it has been approved by the department. Such fees shall be established in an amount that covers all costs of the department for the review, registration, and regulation of alternative treatment centers.

(b) The department shall adopt rules with the goal of protecting against diversion and theft, without imposing an undue burden on the alternative treatment centers or compromising the confidentiality of qualifying patients and their designated caregivers.

#### 126-W:7 Departmental Administration, Alternative Treatment Centers.

I. Within 30 days of the adoption of rules pursuant to RSA 126-W:6, the department shall begin accepting applications for the operation of alternative treatment centers.

II. Within 18 months of the effective date of this section, provided that at least 5 applications have been submitted that score sufficiently high to receive a certificate, the department shall issue alternative treatment center registration certificates to the 5 highest-scoring applicants. Each registration certificate shall include a registry number that is unique to the alternative treatment center.

III. Any time an alternative treatment center registration certificate is revoked, relinquished, or expires without a renewal application being submitted, the department shall accept applications for a new alternative treatment center and issue registration certificates to the applicant who scores the highest.

IV. If at any time after one year after the effective date of this section, fewer than 5 alternative treatment centers hold valid registration certificates in New Hampshire, the department shall accept applications for a new alternative treatment center. Except as provided in paragraph V, no more than 5 alternative treatment centers may hold valid registration certificates at one time.

V.(a) An alternative treatment center applicant shall submit a completed department-approved application form with all required documentation and a non-refundable fee in an amount set by department rule. The alternative treatment center application and supporting materials shall include, at a minimum:

(1) The legal name, articles of incorporation, and bylaws of the alternative treatment center.

(2) The proposed physical address of the alternative treatment center, if a precise address has been determined, or, if not, the general location where it would be located. This may include a second location for the cultivation of cannabis.

(3) A description of the enclosed, locked facility that would be used in the cultivation of cannabis by the alternative treatment center.

(4) The name, address, and date of birth of each principal officer and board member of the alternative treatment center. The board of directors for the non-profit shall include at least one physician, nurse, or pharmacist licensed to practice in New Hampshire and at least 3 patients qualified to register as qualifying patients. The majority of board members shall be New Hampshire residents.

(5) Proposed security and safety measures that comply with the rules issued pursuant to RSA 126-W:6, including a description of interior and exterior lighting and security systems.

(6) The distance from any pre-existing private or public school.

(7) A copy of the proposed policy regarding services to qualifying patients who cannot afford to purchase cannabis for therapeutic use.

(8) Information demonstrating the applicant's knowledge of organic growing methods to be used in their growing and cultivation of cannabis.

(9) Steps that will be taken to ensure the quality of the cannabis, including purity and consistency of dose.

(10) A start-up timetable that provides an estimated time from registration of the alternative treatment center to full operation and the assumptions used for the basis of those estimates.

(11) Information showing the applicant's experience running a non-profit or other business.

(12) A description of any additional services that will be available to patients.

(13) The applicant's plans for record keeping and inventory control.

(b) Any time one or more alternative treatment center registration applications are being considered, the department may, in partnership with the local governing body of the town or city where the applicants would be located, solicit input from the qualifying patients, designated caregivers, and the residents of the towns or cities.

(c) Each time an alternative treatment center certificate is granted, the decision shall be based on the overall health needs of qualifying patients and the safety of the public. The department shall evaluate applications for alternative treatment center registration certificates using an impartial and numerically scored competitive bidding process developed by the department in accordance with this chapter. The department shall require applicants to meet a minimum score to be considered. The registration considerations shall include the following criteria:

(1) The suitability of the proposed location or locations, including compliance with any local zoning laws and geographic convenience to patients from throughout the state of New Hampshire to alternative treatment centers if the applicant were approved.

(2) The proposed alternative treatment center's plan for operations and services, whether it has sufficient capital to operate, and ability to provide a steady supply of cannabis to the qualifying patients in the state.

(3) The principal officer and board members' character and relevant experience, including any training or professional licensing related to medicine, pharmaceuticals, natural treatments, botany, or cannabis cultivation and preparation and their experience running a non-profit organization or business.

(4) The applicant's plan for making cannabis available on an affordable basis to qualifying patients enrolled in Medicaid or receiving Supplemental Security Income or Social Security Disability Insurance.

(5) The applicant's plan for safe and accurate packaging and labeling of cannabis, including the applicant's plan for ensuring that all cannabis is free of contaminants.

(6) The sufficiency of the applicant's plans for record keeping and inventory control. Records shall be considered confidential health care information under New Hampshire law and shall be deemed protected health care information for purposes of the federal Health Insurance Portability and Accountability Act of 1996, as amended. Any dispensing records that an alternative treatment center is required to keep shall document transactions according to qualifying patients' and designated caregivers' registry identification numbers, rather than their names, to protect their confidentiality.

(7) The sufficiency of the applicant's plans for safety and security, including proposed location and security devices employed.

(8) Whether the entity possesses or has the right to use sufficient land, buildings, and equipment to properly carry out its duties as an alternative treatment center.

VI. After an alternative treatment center is approved, but before it begins operations, it shall submit the registration and regulation fee paid to the department in accordance with the rules adopted by the department.

VII. Information required to be submitted to the department on an application for an alternative treatment center identifying the locations where cannabis is proposed to be grown, cultivated, harvested, and otherwise prepared for distribution to qualifying patients, designated caregivers, and alternative treatment centers, and any other department records identifying such location, shall be considered to be confidential information and not subject to disclosure pursuant to RSA 91-A, except that:

(a) Such information may be disclosed to a law enforcement agency upon request for purposes of enforcement under this chapter;

(b) The location may be disclosed to towns and cities when seeking input on locations, provided that town and city representatives keep the information confidential; and

(c) The name, address, and phone number of alternative treatment centers may be disclosed to qualifying patients.

VIII. The alternative treatment center's certificate may be revoked at any time it commits a violation of this chapter or rules adopted by the department, including if it negligently or knowingly allows cannabis to be distributed to someone who is not exempt from penalties pursuant to this chapter.

IX. Not more than one year after an alternative treatment center receives its first registry certificate, an alternative treatment center shall pay a fee in an amount determined by the department.

X. Not more than one year after an alternative treatment center receives its first registry certificate, the department shall evaluate an alternative treatment center's operations. A registration certificate may be revoked if the alternative treatment center:

- (a) Committed violations of this act or department rules; or
- (b) Is not operational.

XI. Alternative treatment centers shall be subject to inspection by the department. During an inspection, the department may review the alternative treatment center's records, including its confidential dispensing records, which shall track transactions according to qualifying patients' registry identification numbers to protect their confidentiality.

#### 126-W:8 Alternative Treatment Centers; Requirements.

I. An alternative treatment center shall be operated on a not-for-profit basis for the benefit of its patients. An alternative treatment center need not be recognized as a tax-exempt organization by the Internal Revenue Service.

II. An alternative treatment center shall not be located in a residential district or within 1,000 feet of the property line of a pre-existing public or private elementary or secondary school.

III. An alternative treatment center shall implement appropriate security measures to deter and prevent the unauthorized entrance into areas containing cannabis and the theft of cannabis and shall ensure that each location has an operational security alarm system.

IV.(a) An alternative treatment center shall conduct a state and federal criminal records check for every person seeking to become a principal officer, board member, agent, volunteer, or employee before the person begins working at the alternative treatment center. An alternative treatment center shall not allow any person to be an alternative treatment center agent who:

- (1) Was convicted of a felony or any drug-related offense; or
- (2) Is under 21 years of age.

(b) An alternative treatment center shall create an identification badge for each alternative treatment center agent before the alternative treatment center agent possesses, cultivates, or transports cannabis on behalf of the alternative treatment center. The badges may include the alternative treatment center's registration certificate number and either a unique number for each agent or his or her name.

(c) An alternative treatment center agent shall wear his or her badge at all times when working at an alternative treatment center, including at any cultivation location.

V. No person who has been convicted of a felony or any drug-related offense shall be an alternative treatment center agent. A person who is employed by or is an agent, volunteer, principal officer, or board member of an alternative treatment center who violates this paragraph shall be guilty of a violation punishable by a fine of up to \$1,000. A subsequent violation of this paragraph shall be a misdemeanor.

VI. The operating documents of an alternative treatment center shall include procedures for the oversight of the alternative treatment center and procedures to ensure accurate record keeping.

VII. Each alternative treatment center shall keep the following records, in accordance with a records retention schedule established by the department:

(a) Records of the disposal of cannabis that is not distributed by the alternative treatment center to qualifying patients who have designated the alternative treatment center to cultivate for them.

(b) A record of each transaction, including the amount of cannabis dispensed, the amount of consideration, and the registry identification number of the qualifying patient, designated caregiver, or alternative treatment center.

VIII. Each alternative treatment center shall:

(a) Conduct an initial comprehensive inventory of all cannabis, including usable cannabis available for dispensing and mature cannabis plants at each authorized location on the date the alternative treatment center first dispenses cannabis.

(b) Conduct a monthly comprehensive inventory of all cannabis, including usable cannabis available for dispensing, mature cannabis plants, and seedlings at each authorized location.

IX. An alternative treatment center shall submit a department-approved incident report form on the next business day after it discovers a reportable incident. The report shall indicate the nature of the breach and the corrective actions taken by the alternative treatment center. Reportable incident shall mean:

- (a) Confidential information accessed or disclosed in violation of department rules;
- (b) Loss of inventory by theft or diversion;
- (c) Unauthorized intrusion into the alternative treatment center or the additional location, if any;
- (d) Any known violation of this chapter or department rules by an alternative treatment center agent; or
- (e) Any other incident that the department by rule requires to be reported.

X. Alternative treatment centers shall not use pesticides in cannabis.

XI. No cannabis or paraphernalia at an alternative treatment center shall be visible from outside the property of the alternative treatment center.

XII. An alternative treatment center shall submit an annual report to the department that shall provide information required by the department in order to allow the department to evaluate the effectiveness and operations of the alternative treatment center.

XIII.(a) Each time an alternative treatment center agent dispenses cannabis to a qualifying patient directly or through the qualifying patient's designated caregiver, he or she shall consult the alternative treatment center's records to verify that the records do not indicate that the dispensing of the cannabis would cause the qualifying patient to receive more cannabis than is permitted in a 10-day period. Each time cannabis is dispensed, the alternative treatment center agent shall record the date the cannabis was dispensed and the amount dispensed. All records shall be kept according to the registry identification number of the qualifying patient and designated caregiver, if any.

(b) Except as provided in subparagraph (c), a qualifying patient shall not obtain more than 2 ounces of usable cannabis directly or through the qualifying patient's designated caregiver during a 10-day period.

(c) After providing an opportunity for patients, experts, researchers, and physicians to be heard, the department may issue a rule adjusting the limit specified in subparagraph (a) to an amount that is reasonably necessary for a 10-day supply.

XIV.(a) Except when transporting cannabis in accordance with subparagraphs (b) or (c), an alternative treatment center agent shall only possess and manufacture cannabis at the alternative treatment center location or locations at which the alternative treatment center agents are employed. Volunteers shall only possess and manufacture cannabis at an alternative treatment center location. Volunteers shall not dispense cannabis.

(b) Distributions of cannabis to a qualifying patient or a designated caregiver for use by a qualifying patient shall be labeled with a document to identify the alternative treatment center, the patient's registry number, or the caregiver's number, the amount and form, the time and date of origin, and destination of the product.

(c) An alternative treatment center with an additional growing location shall label the cannabis that is being moved between the additional growing location and the alternative treatment center with a document that identifies the alternative treatment center by registry number, the time, date, origin, and destination of the material being transported, and the amount and form of cannabis and cannabis material that is being transported. Cannabis shall be transported only by an alternative treatment center agent who is not a volunteer.

XV.(a) An alternative treatment center shall not possess or cultivate cannabis in excess of the greater of the following quantities:

(1)(A) 80 cannabis plants, 160 seedlings, and 80 ounces of usable cannabis, or 6 ounces of usable cannabis per qualifying patient; and

(B) Three mature cannabis plants, 12 seedlings, and six ounces for each qualifying patient who has designated the alternative treatment center to provide him or her with cannabis for medical use. An alternative treatment center may also possess cannabis seeds, stalks, and unusable roots.

(b) An alternative treatment center may possess cannabis seeds, stalks, and unusable roots.

(c) An alternative treatment center or alternative treatment center agent shall not dispense, deliver, or otherwise transfer cannabis to a person other than:

- (1) A qualifying patient who has designated the relevant alternative treatment center; or
- (2) Such patient's designated caregiver.

(d) All cultivation of cannabis shall take place in an enclosed, locked facility registered with the department and which can only be accessed by alternative treatment center agents.

XVI.(a) All cannabis dispensed by an alternative treatment center shall include a label specifying the weight of the cannabis and any other information the department requires to appear on the label. The label shall also specify that the cannabis is for therapeutic use and that diversion is a class B felony requiring revocation of one's registry identification card.

(b) An alternative treatment center shall provide educational materials about cannabis to qualifying patients and their registered primary caregivers. Each alternative treatment center shall have an adequate supply of up-to-date educational material available for distribution. Educational materials shall be available for inspection by the department upon request. The educational material shall at least include information about the following:

(1) Strains of cannabis, routes of administration, and their different effects. Alternative treatment centers shall have educational materials available to assist in the selection of prepared cannabis. Alternative treatment centers shall provide tracking sheets to qualifying patients and registered primary caregivers who request them to keep track of the strains used and their effects.

(2) How to achieve proper dosage for different modes of administration. Emphasis shall be on using the smallest amount possible to achieve the desired effect. The impact of potency shall also be explained.

(3) Information on tolerance, dependence, and withdrawal shall be provided.

(4) Information regarding substance abuse signs and symptoms shall be available, as well as referral information.

(5) Information on whether the alternative treatment center's cannabis and associated products meet organic certification standards.

(6) Information about possible side effects from the use of cannabis for medical purposes.

XVII.(a) Each alternative treatment center shall develop, implement, and maintain on the premises employee and agent policies and procedures to address the following requirements:

(1) A job description or employment contract developed for all employees and a volunteer agreement for all volunteers, which includes duties, authority, responsibilities, qualifications, and supervision.

(2) Training in and adherence to confidentiality laws.

(3) The proper use of security measures and controls that have been adopted.

(4) Specific procedural instructions on how to respond to an emergency.

(b) All alternative treatment centers shall prepare training documentation for each employee and have employees sign a statement indicating the date, time, and place the employee received said training and topics discussed, to include name and title of presenters. The alternative treatment center shall maintain documentation of an employee's and a volunteer's training for a period of at least 6 months after termination of an employee's period of employment or the volunteer's period of voluntary service.

(c) Each alternative treatment center shall maintain a personnel record for each alternative treatment center agent that includes an application for employment or to volunteer and a record of any disciplinary action taken.

XVIII. A provider shall not:

(a) Accept, solicit, or offer any form of pecuniary remuneration from or to an alternative treatment center, except if the provider is employed by an alternative treatment center.

(b) Offer a discount or other thing of value to a patient who uses or agrees to use a particular alternative treatment center.

(c) Examine a patient in relation to issuing a written certification at a location where cannabis is sold or distributed.

(d) Hold an economic interest in an alternative treatment center if the provider issues written certifications to patients.

126-W:9 Therapeutic Use of Cannabis Advisory Council.

I. There is hereby established a therapeutic use of cannabis advisory council comprised of:

(a) Two members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the senate president.

- (c) The commissioner of the department of health and human services, or designee.
- (d) The commissioner of the department of safety, or designee.
- (e) The attorney general, or designee.
- (f) One physician with experience in therapeutic use of cannabis issues, appointed by the New Hampshire Medical Society.
- (g) One nurse practitioner, appointed by the New Hampshire Nurse Practitioner Association.
- (h) One representative of a community hospital, appointed by the governor.
- (i) One representative of the New Hampshire Civil Liberties Union.
- (j) One qualifying patient, appointed by the governor.
- (k) One member of the public, appointed by the governor.
- (l) One member from a hospital in New Hampshire, appointed by the governor.
- (m) One member from the board of medicine, appointed by the executive director of the board of medicine.
- (n) One member from the board of nursing, appointed by the executive director of the board of nursing.

II. The advisory council shall:

- (a) Assist the department in adopting and revising rules to implement this chapter.
- (b) Collect information, including:
  - (1) Satisfaction of qualifying patients with the therapeutic use of cannabis program.
  - (2) Any effect the therapeutic use of cannabis law has had on referrals to regulatory boards.
  - (3) Best practices in other states that allow the therapeutic use of cannabis.
  - (4) The ability of qualifying patients in all areas of the state to obtain timely access to high-quality cannabis.
  - (5) Any research studies regarding health effects of cannabis for patients.
  - (6) The effectiveness of New Hampshire's therapeutic use of cannabis program.
  - (7) Efforts to educate New Hampshire physicians about research relating to the therapeutic use of cannabis.
  - (8) The effectiveness of alternative treatment centers, individually and collectively, in serving the needs of qualifying patients, including the provision of educational and support services, the reasonableness of their fees, whether they are generating any complaints or security problems, and the sufficiency of the number operating to serve the registered qualifying patients of New Hampshire.
  - (9) The sufficiency of the regulatory and security safeguards contained in this chapter and adopted by the department to ensure that access to and use of cannabis cultivated is provided only to persons authorized for such purposes.

(10) Any illegal distribution or diversion of cannabis cultivated pursuant to this chapter to individuals who are not alternative treatment center agents, qualifying patients, visiting qualifying patients, or designated caregivers.

(c) Make recommendations to the legislature and the department for any additions or revisions to the department rules or this chapter.

(d) Five years after the effective date of this chapter, issue a formal opinion on whether the program should be continued or repealed.

III. The advisory council may meet as often as is necessary to effectuate its goals. The first meeting shall be called by the commissioner of the department of health and human services, or designee within 45 days of the effective date of this chapter. At the first meeting, a chairman shall be elected by the members.

IV. On or before January 1 of each year, the advisory council shall provide a report to the department of health and human services and the health and human services oversight committee established under RSA 126-A:13 on its findings.

126-W:10 Annual Report. The commissioner of the department of health and human services shall report annually on the therapeutic use of cannabis program established under this chapter to the health and human services oversight committee established under RSA 126-A:13. The initial report shall be filed with the chairman of the committee no later than December 1, 2014. The commissioner's report shall include the following information:

I. The number of designated caregivers and the number of qualifying patients, by county.

II. Any other issues related to the implementation of the therapeutic use of cannabis permitted under this chapter that the committee shall request.

III. A summary of the report submitted by alternative treatment centers as required under RSA 126-W:8, XII.

126-W:11 Registry Identification Card and Certificate Fund. There is hereby established in the office of the state treasurer a fund to be known as the registry identification card and certificate fund which shall be kept separate and distinct from all other funds. The fund is established to pay for the operational expenses of permitting the therapeutic use of cannabis as established in this chapter. The moneys in this fund shall be nonlapsing and continually appropriated to the department. Interest on fund balances shall accrue to the fund. All fines and other income received by the department and all monetary fees, gifts, grants, and donations received by the department pursuant to this chapter shall be deposited in the fund.

2 New Subparagraph; Application of Receipts; Registry Identification Card and Certificate Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) Moneys deposited in the registry identification card and certificate fund established in RSA 126-W:11.

3 New Paragraph; Controlled Drug Act; Acts Prohibited. Amend RSA 318-B:2 by inserting after paragraph I-a the following new paragraph:

I-b. It shall be unlawful for a qualifying patient or designated caregiver as defined under RSA 126-W:1 to sell cannabis to another person who is not a qualifying patient or designated caregiver. A conviction for the sale of cannabis to a person who is not a qualifying patient or designated caregiver shall not preclude or limit a prosecution or conviction of any person for sale of cannabis or any other offense defined in this chapter.

4 New Paragraph; Controlled Drug Act; Penalties. Amend RSA 318-B:26 by inserting after paragraph IX the following new paragraph:

IX-a. A qualifying patient or designated caregiver as defined in RSA 126-W:1 who is convicted of selling cannabis to a person who is not a qualifying patient or designated caregiver shall be guilty of a class B felony and shall be sentenced to a maximum term of imprisonment of not more than 7 years, a fine of not more than \$300,000, or both.

5 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill authorizes the use of therapeutic cannabis in New Hampshire.  
Amendment adopted.

The question now being adoption of the committee report of Ought to pass with Amendment.

Rep. Cebrowski spoke against.

Rep. Wright spoke in favor.

Rep. Stephen Schmidt spoke in favor and yielded to questions.

Rep. Vaillancourt requested a roll call; sufficiently seconded.

**YEAS 286 NAYS 64**

#### YEAS 286

##### BELKNAP

Arsenault, Beth	Burchell, Richard	Comtois, Guy	DiMartino, Lisa
Fields, Dennis	Fink, Charles	Greemore, Robert Jr	Gulick, Ruth
Huot, David	Raymond, Ian	Sylvia, Michael	Vadney, Herbert

##### CARROLL

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Crawford, Karel
Lavender, Tom	McConkey, Mark	Morrow, Harry	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen	White, Syndi	Wright, Donald

##### CHESHIRE

Ames, Richard	Berch, Paul	Burridge, Delmar	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Johnsen, Gladys	Lerandeau, Alfred
Ley, Douglas	Mann, John	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles	Young, Harry	



**COOS**

Coulombe, Gary  
Moynihan, Wayne  
Thomas, Yvonne

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Rideout, Leon

Hatch, William  
Theberge, Robert

**GRAFTON**

Almy, Susan  
Ford, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Gionet, Edmond  
Lovett, Sid  
Shackett, Jeffrey  
White, Andrew

Cooney, Mary  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald  
Campbell, David  
Coffey, James  
DiSilvestro, Linda  
Garcia, Michael  
Gorman, Mary  
Heden, Ruth  
Jeudy, Jean  
Kurk, Neal  
Levasseur, Nickolas  
McCloskey, David  
Murphy, Kelleigh  
Ober, Lynne  
Porter, Marjorie  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Sullivan, Peter  
Vail, Suzanne  
Warden, Mark  
Woodbury, David

Barry, Richard  
Booras, Efsthathia  
Carroll, Douglas  
Connor, Evelyn  
Gage, Ruth  
Gargas, Carolyn  
Grady, Brenda  
Hikel, John  
Katsiantonis, Thomas  
Lambert, George  
Long, Patrick  
McNamara, Richard  
Notter, Jeanine  
Ober, Russell III  
Pratt, Calvin  
Rosenwald, Cindy  
Shaw, Barbara  
Straight, Philip  
Sweeney, Shawn  
Vaillancourt, Steve  
Willette, Robert

Beaulieu, Jane  
Brown, Pamela  
Chandley, Shannon  
Cote, David  
Gagne, Larry  
Gidge, Kenneth  
Hammond, Jill  
Infantine, William  
Kelley, John  
LeBrun, Donald  
MacKay, Mariellen  
Meaney, Richard  
O'Brien, William  
Parison, James  
Ramsey, Peter  
Sandblade, Emily  
Smith, Timothy  
Stroud, Kathleen  
Takesian, Charlene  
Villeneuve, Moe  
Williams, Kermit

Belanger, James  
Burt, John  
Christiansen, Lars  
Danielson, David  
Gale, Sylvia  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Jack, Martin  
Knowles, Mary Ann  
Leishman, Peter  
Manley, Jonathan Sr  
Murphy, Keith  
O'Flaherty, Tim  
Peterson, Lenette  
Renzullo, Andrew  
Schmidt, Janice  
Soucy, Timothy  
Sullivan, Daniel  
Ulery, Jordan  
Walsh, Robert Jr  
Winters, Joel

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Walsh, Thomas IV

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Kelly, Sally  
McGuire, Carol  
Ratzki, Mario  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hoell, J.R.  
Kidder, David  
McGuire, Dan  
Richardson, Gary  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Moffett, Howard  
Schamberg, Thomas  
Turcotte, Alan

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Comerford, Timothy  
Duarte, Joe  
Flockhart, Eileen  
Helmstetter, Barbara  
Major, Norman  
Milz, David  
O'Connor, John

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Emerick, J. Tracy  
Friel, William  
Hodgdon, Bruce  
Mann, Maureen  
Moody, Marcia  
Pantelakos, Laura

Borden, David  
Charron, Gene  
Danais, Romeo  
Emerson-Brown, Rebecca  
Garcia, Bianca  
Itse, Daniel  
McKinney, Betsy  
Muns, Chris  
Peckham, Michele

Briden, Steven  
Chirichiello, Brian  
DeSimone, Debra  
Ferrante, Beverly  
Heffron, Frank  
Lovejoy, Patricia  
McMahon, Charles  
Nigrello, Robert  
Perkins, Lawrence

Sapareto, Frank  
Sedensky, John  
Sytek, John  
Till, Mary  
Wazlaw, Brian

Scarlotto, Joe  
Sherman, Thomas  
Tamburello, Daniel  
Tremblay, Stella  
Webb, James Sr

Schlachman, Donna  
St.James, Kevin  
Tasker, Kyle  
Ward, Gerald  
Whittemore, Lisa

Schroadter, Adam  
Sweeney, Joe  
Thompson, David  
Waterhouse, Kevin

### STRAFFORD

Baber, William  
Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Miller, David  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Beaudoin, Steven  
Gardner, Janice  
Grossman, Kenneth  
Jones, Laura  
Parsons, Robbie  
Schmidt, Peter  
Stevens, Audrey

Berube, Roger  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis  
Pelletier, Marsha  
Smith, Marjorie  
Verschueren, James

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Menear, H. Robert III  
Perry, Robert  
Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
O'Hearne, Andrew  
Sweeney, Cynthia

Gottling, Suzanne  
Rollins, Skip  
Tanner, Linda

Grenier, James  
Schmidt, Andrew

### NAYS 64

### BELKNAP

Cormier, Jane  
Worsman, Colette

Flanders, Donald

Holmes, Stephen

Tilton, Franklin

### CARROLL

Chandler, Gene

Cordelli, Glenn

Nelson, Bill

### CHESHIRE

Butynski, William

Hunt, John

Johnson, Jane

Parkhurst, Henry

### COOS

Richardson, Herbert

### GRAFTON

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Ladd, Rick Jr

Piper, Wendy

### HILLSBOROUGH

Boehm, Ralph  
Flanagan, Jack  
Hansen, Peter  
Martel, Andre  
Rowe, Robert

Byron, Frank  
Graham, John  
Hinch, Richard  
Nelson, Mary  
Sanborn, Laurie

Cebrowski, John  
Haefner, Robert  
Jasper, Shawn  
Palmer, Stephen

Daniels, Gary  
Hansberry, Daniel  
LeVasseur, Richard  
Pellegrino, Tony

### MERRIMACK

Kotowski, Frank

Rogers, Katherine

Webb, Leigh

### ROCKINGHAM

Abrami, Patrick  
Copeland, Timothy  
Fesh, Robert  
Griffin, Mary  
Kappler, Lawrence  
Priestley, Anne

Allen, Mary  
Devine, James  
Garcia, Marilinda  
Hagan, Joseph  
Khan, Aboul  
Sanders, Elisabeth

Bick, Patrick  
Dumaine, Dudley  
Gordon, Richard  
Harris, Jeffrey  
Kolodziej, Walter  
Weyler, Kenneth

Birdsell, Regina  
Elliott, Robert  
Grace, Curtis  
Hoelzel, Kathleen  
Packard, Sherman

### STRAFFORD

Groen, Warren

Pitre, Joseph

## SULLIVAN

None

and the committee report was adopted and ordered to third reading.

## ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly Enrolled Senate Bill numbered 199.  
Rep. Shurtleff, Sen. Prescott for the Committee

## REGULAR CALENDAR - PART II (CONT'D)

**HR 6**, commemorating the 40<sup>th</sup> anniversary of the *Roe v Wade* Supreme Court decision and affirming support for its holding and principles. **WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass:** Rep. James R. MacKay.

This resolution acknowledges the 40th anniversary of *Roe v Wade* and the contribution this Supreme Court decision has made to women's health. This confirmation of constitutional intent has protected a women's ability to make her own personal decision regarding her health care needs without the interference of government. Prior to *Roe*, women's only avenue to abortion was through illegal and often dangerous means. Prior to *Roe*, there was clear evidence that restrictive laws were not ending abortions but instead were resulting in a public health disaster, especially for those women with lower incomes who were unable to access abortion procedures privately. Through the 1960s, 44 states outlawed abortion in almost all situations that did not threaten the life or death of the mother. In 1973, *Roe v Wade* became law and allowed for the first trimester, elective abortions. Abortion rates climbed immediately. But since the 1980s, abortion rates have been declining. Abortion rates were their lowest in 2009. This resolution verifies that women's health policy established by this legislature is based on the principles put forward by *Roe* 40 years ago; the belief that abortion is a deeply personal and often complex decision for a woman and that decisions about whether to choose adoption, end a pregnancy, or raise a child must be left to a woman, her family, and her faith, with the counsel of her doctor or health care provider. Support for HR 6 in the committee was fundamentally based on this premise.

**Statement in support of Inexpedient to Legislate:** Rep. Donald L. LeBrun.

Americans are sharply divided on the issue of abortion. HR 6 will further divide the House of Representatives and citizens of New Hampshire. The resolution serves no end, other than a political one. It will inflict unnecessary emotional stress on those who have chosen to have an abortion and now regret their action. While legal, this resolution in essence, celebrates the destruction of over 500 million pre-born children. It sends a message to our youth, that life is meaningless, and may be terminated when they see no value in life.

Rep. James MacKay moved Ought to Pass.

## LAID ON THE TABLE

Rep. Bartlett moved that **HR 6**, commemorating the 40<sup>th</sup> anniversary of the *Roe v Wade* Supreme Court decision and affirming support for its holding and principles, be laid on the table.

On a division vote, 239 members having voted in the affirmative and 111 in the negative, the motion was adopted.

## REGULAR CALENDAR - PART II (CONT'D)

**HB 648-FN**, permitting current marital masters to remain in office until retirement, resignation, disability, or nonrenewal of appointment. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for the Majority of Judiciary: This bill continues the process of replacing marital masters who retire, resign, become disabled or non-renewed with full-time judicial officers contingent upon General Court Fiscal Committee approval and the appropriation of sufficient funds. This bill further repeals inconsistent provisions in existing law. The committee heard, and is keenly aware, of concerns over marital master scheduling in Coos County. The committee received and accepted clear assurances from judicial branch personnel that it is taking steps now to address Coos County's concerns as it allocated limited resources across the state. Vote 11-5.

Rep. Lenette M. Peterson for the Minority of Judiciary: Last term the legislature passed the court reform bill, which was requested by the judicial branch merging the district court and family court. This merger allows the judges to hear cases from both courts and eliminates the marital master system. Passage of this bill would extend the marital master program and would delay the start-up of the circuit court.

**Majority Amendment (0529h)**

Amend RSA 490-F:7, III as inserted by section 1 of the bill by replacing it with the following:

III. Upon the retirement, resignation, disability, or nonrenewal of appointment of a marital master, the position shall be converted to a full-time judicial position, provided that the fiscal committee of the general court approves and further provided that sufficient funds have been appropriated for the salary and benefits of the full-time judicial position. Once converted to a full-time judicial vacancy, the governor may nominate and the council may confirm any qualified person pursuant to part 2, article 46 of the New Hampshire constitution.

On a division vote, 199 members having voted in the affirmative and 142 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 206 NAYS 142****YEAS 206****BELKNAP**

Arsenault, Beth	Burchell, Richard	DiMartino, Lisa	Fink, Charles
Gulick, Ruth	Huot, David	Raymond, Ian	Worsman, Colette

**CARROLL**

Buco, Thomas	Butler, Edward	McConkey, Mark	Ticehurst, Susan
Umberger, Karen	White, Syndi		

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Emerson, Susan	Johnsen, Gladys	Lerandeau, Alfred
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles	Young, Harry	

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne	

**GRAFTON**

Almy, Susan	Benn, Bernard	Brown, Rebecca	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Higgins, Patricia
Lauer, Linda	Lovett, Sid	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Boisvert, Ronald	Booras, Efstathia
Brown, Pamela	Carroll, Douglas	Chandley, Shannon	Christiansen, Lars
Connor, Evelyn	Cote, David	Danielson, David	DiSilvestro, Linda
Gage, Ruth	Gale, Sylvia	Gargas, Carolyn	Gidge, Kenneth
Goley, Jeffrey	Gorman, Mary	Grady, Brenda	Hammond, Jill
Hansberry, Daniel	Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin
Judy, Jean	Katsiantonis, Thomas	Kelley, John	Knowles, Mary Ann
Kurk, Neal	Leishman, Peter	Levasseur, Nickolas	Long, Patrick
Mackay, Mariellen	Manley, Jonathan Sr	McCloskey, David	McNamara, Richard
Murphy, Kelleigh	Nelson, Mary	O'Flaherty, Tim	Porter, Marjorie
Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Soucy, Timothy
Spratt, Stephen	Sullivan, Daniel	Sullivan, Peter	Vail, Suzanne
Walsh, Robert Jr	Williams, Kermit	Winters, Joel	Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
MacKay, James  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Kelly, Sally  
Moffett, Howard  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Moody, Marcia  
Scarlotto, Joe  
Till, Mary

Borden, David  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Khan, Aboul  
Muns, Chris  
Schlachman, Donna  
Ward, Gerald

Briden, Steven  
Copeland, Timothy  
Garcia, Marilinda  
Lovejoy, Patricia  
Pantelakos, Laura  
Sherman, Thomas  
Wazlaw, Brian

Burtis, Elizabeth  
Cushing, Robert Jr  
Heffron, Frank  
Mann, Maureen  
Peckham, Michele  
St.James, Kevin  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Pelletier, Marsha  
Smith, Marjorie  
Verschueren, James

Berube, Roger  
Ginsburg, Philip  
Hubbard, Pamela  
Perry, Robert  
Spainhower, Dale  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Burdwood, Greg  
Grossman, Kenneth  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Schmidt, Andrew

Gagnon, Raymond  
Sweeney, Cynthia

Gottling, Suzanne  
Tanner, Linda

O'Hearne, Andrew

**NAYS 142****BELKNAP**

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

Fields, Dennis  
Luther, Robert

Flanders, Donald  
 Sylvia, Michael

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
Wright, Donald

Chandler, Gene  
Morrow, Harry

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Flanagan, Jack  
Haefner, Robert

Belanger, James  
Cebrowski, John  
Gagne, Larry  
Hansen, Peter

Boehm, Ralph  
Coffey, James  
Garcia, Michael  
Hikel, John

Burt, John  
Daniels, Gary  
Graham, John  
Hinch, Richard

Infantine, William  
LeVasseur, Richard  
Murphy, Keith  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Sweeney, Shawn  
Villeneuve, Moe

Jasper, Shawn  
Martel, Andre  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Takesian, Charlene  
Warden, Mark

Lambert, George  
McCarthy, Michael  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Ulery, Jordan  
Willette, Robert

LeBrun, Donald  
Meaney, Richard  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Vaillancourt, Steve

### MERRIMACK

Hoell, J.R.  
Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Kolodziej, Walter  
Milz, David  
Perkins, Lawrence  
Schroadter, Adam  
Tamburello, Daniel  
Webb, James Sr

Allen, Mary  
Charron, Gene  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Itse, Daniel  
McKinney, Betsy  
O'Connor, John  
Sanders, Elisabeth  
Sweeney, Joe  
Tremblay, Stella

Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Kappler, Lawrence  
McMahon, Charles  
Packard, Sherman  
Sapareto, Frank  
Sytek, John  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

### SULLIVAN

Grenier, James

Irwin, Virginia

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.

Rep. Horrigan did not vote and notified the Clerk that he wished to be recorded in favor.

### **HB 357, prohibiting an employer from using credit history in employment decisions. WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass:** Rep. Andrew A. White.

This bill is intended to remove a significant barrier to employment by limiting an employers ability to use credit history as a criteria for employment decisions. The bill attempts to balance the needs of industry with the need to put New Hampshire citizens to work without the barrier of an unnecessary, intrusive credit history investigation. Those in favor of the bill know that debt or poor credit ratings accrued in divorce and medical cases are not reflective of an employees trustworthiness or honesty and should not be used against them; it is also commonly known that not all credit reports are accurate and disputed credit reports can take extensive time to resolve, leaving an applicant without a potential job for something he or she cannot control and is not responsible for. Those supporting OTP believe that workers should be hired based on their qualifications to do the job, not their credit history, and that people who want to work should not be excluded on the basis of their credit history.

**Statement in support of Inexpedient to Legislate:** Rep. William Infantine.

The bill prohibits employers from using credit history when hiring, terminating, promoting, etc. however, allows this procedure if an employer has a bona fide purpose for requesting the information. The minority felt this was in effect opening the barn door in the front and opening the back door. There is no penalty for violating this law. Since consent is required by the applicant or employee in order for the employer to get a credit history, the applicant or employee has the ability to deny the request or explain issues that may exist.

Rep. Andrew White moved Ought to Pass.

**MOTION TO LAY ON THE TABLE**

Rep. Elliott moved that **HB 357**, prohibiting an employer from using credit history in employment decisions, be laid on the table.

On a division vote, 130 members having voted in the affirmative and 219 in the negative, the motion failed.

The question now being adoption of the motion of Ought to Pass.

Rep. Andrew White offered floor amendment (0932h).

**Floor Amendment (0932h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Employers' Use of Credit History in Hiring Decisions. Amend RSA 275 by inserting after section 70 the following new subdivision:

**Credit Privacy**

275:71 Definitions. In this subdivision:

I. "Credit history" means any written or other communication of any information about the employee's or prospective employee's credit score, credit account balances, payment history, savings or checking account balances, or savings or checking account numbers by a consumer reporting agency as defined in RSA 359-B:3, VI.

II. "Employer" means an individual or entity that permits one or more individuals to work or that accepts applications for employment or is an agent of such individual or entity. "Employer" does not, however, include:

(a) Any bank holding company, financial holding company, bank, savings bank, savings and loan association, credit union, or trust company, or any subsidiary or affiliate thereof, that is chartered by any state or the United States.

(b) Any state or local government agency which requires use of the employee's or applicant's credit history or credit report.

III. "Substantially related to the employee's current or potential job" means the information contained in the credit history is related to the position for which the employee or prospective employee who is the subject of the report is being evaluated because the position:

(a) Is a managerial position which involves setting the direction or control of a business, division, unit, or agency of a business;

(b) Involves access to customers', employees', or the employer's personal or financial information other than information customarily provided in a retail transaction;

(c) Involves a fiduciary responsibility to the employer, including, but not limited to, the authority to issue payments, collect debts, transfer money, or enter into contracts; or

(d) Provides an expense account or corporate debit or credit card.

275:72 Unlawful Discriminatory Practice. It shall be an unlawful discriminatory practice for any employer, labor organization, or employment agency to use or request information in the credit history of a job applicant or employee in connection with or as a criterion for employment decisions related to hiring, termination, promotion, demotion, discipline, compensation, or the terms, conditions, or privileges of employment unless the employer is required by state or federal law to use individual credit history for employment purposes, or the employer has a bona fide purpose for requesting or using information in the credit history report that is substantially related to the employee's current or potential job and the employer complies with the notice and consent requirements of the Federal Fair Credit Reporting Act, 15 U.S.C. section 1681 et seq.

2 Effective Date. This act shall take effect 60 days after its passage.

Rep. Andrew White spoke in favor.

Floor amendment (0932h) adopted.

The question now being adoption of the motion of Ought to Pass with Amendment.

Rep. Infantine spoke against and yielded to questions.

Rep. Andrew White spoke in favor and yielded to questions.

Rep. Dan McGuire requested a roll call; sufficiently seconded.

**YEAS 213 NAYS 144**

**YEAS 213**

**BELKNAP**

Arsenault, Beth  
Holmes, Stephen

DiMartino, Lisa  
Huot, David

Fink, Charles  
Raymond, Ian

Gulick, Ruth

**CARROLL**

Buco, Thomas	Butler, Edward	Crawford, Karel	Lavender, Tom
Merrow, Harry	Ticehurst, Susan	White, Syndi	

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Lerandean, Alfred
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles	Young, Harry	

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

**GRAFTON**

Almy, Susan	Benn, Bernard	Brown, Rebecca	Cooney, Mary
Ford, Susan	Friedrich, Carol	Gionet, Edmond	Harding, Laurie
Higgins, Patricia	Ladd, Rick Jr	Lauer, Linda	Lovett, Sid
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Boisvert, Ronald	Booras, Efstathia
Brown, Pamela	Campbell, David	Carroll, Douglas	Chandlee, Shannon
Christiansen, Lars	Connor, Evelyn	Cote, David	Danielson, David
DiSilvestro, Linda	Dobson, Jeremy	Gage, Ruth	Gale, Sylvia
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Grady, Brenda
Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda	Heden, Ruth
Hikel, John	Jack, Martin	Kelley, John	Knowles, Mary Ann
Kurk, Neal	Leishman, Peter	Levasseur, Nickolas	Long, Patrick
MacKay, Mariellen	Manley, Jonathan Sr	McCarthy, Michael	McCloskey, David
McNamara, Richard	Nelson, Mary	Porter, Marjorie	Rhodes, Brian
Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel
Sullivan, Peter	Ulery, Jordan	Vail, Suzanne	Walsh, Robert Jr
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Davis, Frank	Ebel, Karen
Frambach, Mary	Frazer, June	French, Barbara	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Hunt, Jane	Karrick, David Jr
Kelly, Sally	Kidder, David	MacKay, James	Ratzki, Mario
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuetz, Dianne
Shurtleff, Stephen	Smith, Todd	Tilton, Joy	Turcotte, Alan
Wallner, Mary Jane	Walsh, Thomas IV	Walz, Mary Beth	Watrous, Rick
Webb, Leigh			

**ROCKINGHAM**

Allen, Mary	Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven
Burtis, Elizabeth	Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Jr
Elliott, Robert	Emerson-Brown, Rebecca	Flockhart, Eileen	Gordon, Richard
Heffron, Frank	Helmstetter, Barbara	Lovejoy, Patricia	Mann, Maureen
Moody, Marcia	Muns, Chris	Norelli, Terie	Pantelakos, Laura
Peckham, Michele	Perkins, Lawrence	Scarlotta, Joe	Schlachman, Donna
Sherman, Thomas	Till, Mary	Ward, Gerald	Waterhouse, Kevin
Wazlaw, Brian	Whittemore, Lisa		



**STRAFFORD**

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Malloy, Dennis  
Perry, Robert  
Spainhower, Dale  
Wall, Janet

Berube, Roger  
Ginsburg, Philip  
Horrikan, Timothy  
Menear, H. Robert III  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Burdwood, Greg  
Grossman, Kenneth  
Jones, Laura  
Pelletier, Marsha  
Smith, Marjorie  
Verschueren, James

**SULLIVAN**

Cloutier, John  
Rollins, Skip

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

O'Hearne, Andrew  
Tanner, Linda

**NAYS 144****BELKNAP**

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Cornier, Jane  
Luther, Robert  
Worsman, Colette

Fields, Dennis  
Sylvia, Michael

Flanders, Donald  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
Nelson, Bill

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
Umberger, Karen

McConkey, Mark  
Wright, Donald

**CHESHIRE**

Emerson, Susan

Hunt, John

Johnson, Jane

Roberts, Kris

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bradley, Lester

Doolan, Ralph Jr

Reilly, Harold Sr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Flanagan, Jack  
Graham, John  
Infantine, William  
LeBrun, Donald  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Ramsey, Peter  
Sandblade, Emily  
Takesian, Charlene  
Willette, Robert

Belanger, James  
Cebrowski, John  
Gagne, Larry  
Haefner, Robert  
Jasper, Shawn  
LeVasseur, Richard  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Renzullo, Andrew  
Straight, Philip  
Vaillancourt, Steve  
Winters, Joel

Boehm, Ralph  
Coffey, James  
Garcia, Michael  
Hansen, Peter  
Katsiantonis, Thomas  
Martel, Andre  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Rowe, Robert  
Stroud, Kathleen  
Villeneuve, Moe

Burt, John  
Daniels, Gary  
Gargas, Carolyn  
Hinch, Richard  
Lambert, George  
Meaney, Richard  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Sanborn, Laurie  
Sweeney, Shawn  
Warden, Mark

**MERRIMACK**

Carson, Clyde  
McGuire, Carol

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank  
Moffett, Howard

Lockwood, Priscilla  
Patten, Dick

**ROCKINGHAM**

Abrami, Patrick  
Charron, Gene  
Danais, Romeo  
Dumaine, Dudley  
Friel, William  
Griffin, Mary

Baldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph

Bick, Patrick  
Comerford, Timothy  
Devine, James  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey

Birdsell, Regina  
Copeland, Timothy  
Duarte, Joe  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce

Hoelzel, Kathleen  
Kolodziej, Walter  
Milz, David  
Priestley, Anne  
Sedensky, John  
Tamburello, Daniel  
Webb, James Sr

Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Sanders, Elisabeth  
St.James, Kevin  
Tasker, Kyle  
Weyler, Kenneth

Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Sapareto, Frank  
Sweeney, Joe  
Thompson, David

Khan, Aboul  
McMahon, Charles  
Packard, Sherman  
Schroadter, Adam  
Sytek, John  
Tremblay, Stella

### STRAFFORD

Beaudoin, Steven  
Parsons, Robbie

Bickford, David  
Pitre, Joseph

Gray, James

Groen, Warren

### SULLIVAN

Gagnon, Raymond

Grenier, James

Smith, Steven

and the motion was adopted and ordered to third reading.

### (Speaker Norelli in the Chair)

**HB 477-FN**, relative to differential pay for certain state employees providing direct care to inmates and patients. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.** Rep. Douglas A. Ley for the Majority of Labor, Industrial and Rehabilitative Services: When NH authorized public-sector collective bargaining in 1975, it excluded a small number of pre-existing points or conditions. Among these exclusions were hazardous duty pay in the NH State Prison and NH Hospital, as well as differential pay for specified classes of employees (nurses, pharmacists, security, for example) at particular state facilities. This differential and/or hazardous pay is still locked in by statute, ranging between \$5-\$25 per week. Unchanged since the early 1970s, this hazardous/differential pay is woefully out-of-date, as are some of listed job classifications (especially as new modes of organizing work entail much greater flexibility in tasks and responsibilities). All other employees covered by collective bargaining are empowered to negotiate the "terms and conditions of employment," including wages/pay, and there is no good reason to continue denying a similar right to these small classes of employees and their hazardous/differential pay. This bill will set this right. Pay rates will remain unchanged unless negotiated anew by the state and its employees, and even then, costs may remain unchanged (bargaining entails exchanging increases in one area for concessions elsewhere). Therefore, it is best to eliminate this forty year-old discrimination against certain classes of employees and allow them the same range and ability to negotiate the 'terms and conditions' of their employment. Vote 11-7.

Rep. Gary L. Daniels for the Minority of Labor, Industrial and Rehabilitative Services: This bill would allow pay differentials for hazardous duty, direct care and salary increases for nurses to be determined through collective bargaining rather than through the fixed amount currently specified in statute. In addition, this bill allows overtime for nurses at certain institutions, which is currently set at time and one-half, to be determined through collective bargaining. As it currently stands, the expense of these items can be accurately calculated for budgetary purposes. The fiscal note states that this bill will have an indeterminable impact on state expenditures in FY 2014 and each year thereafter. The minority feels these rates are better controlled, with more consistency, through specified amounts in statute, and cause less budgetary concern with rate increases that are indeterminable.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Daniels spoke against.

Rep. Ley spoke in favor and yielded to questions.

On a division vote, 190 members having voted in the affirmative and 149 in the negative, the majority committee report was adopted and ordered to third reading.

Rep. Peter Sullivan declared a conflict of interest and did not participate.

**HB 647-FN**, relative to appeals from the compensation appeals board. **OUGHT TO PASS.**

Rep. Linda L. Tanner for Labor, Industrial and Rehabilitative Services: This bill allows parties aggrieved by an order or decision of the compensation appeals board to further appeal to issues of law only to the Superior Court as an alternative to the Supreme Court. At the present time such challenges are allowed to the Supreme Court only and are rarely accepted to be heard. The additional option of the Superior Court appeal provides a more accessible venue and a lower cost for these challenges. Vote 12-6.

Rep. Infantine spoke against.

Reps. Tanner and Gary Richardson spoke in favor.

On a division vote, 206 members having voted in the affirmative and 143 in the negative, the committee report was adopted and ordered to third reading.

**HB 215-FN-L**, relative to workforce housing and the definition of community. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Marjorie A. Porter for the Majority of Municipal and County Government: This bill seeks to change the current workforce housing statutes by instituting a quota and by more narrowly defining the term "community." The current statutes are the result of years of study, collaboration, and compromise. Their strength lies in their flexibility which allows for local control. The committee heard lengthy testimony from many groups and organizations, including the Business and Industry Association, chambers of commerce from several cities and towns, the NH Planners Association, and housing advocates. All testimony heard was overwhelmingly in opposition to the bill, imploring us to leave the current workforce housing law the way it is. The BIA was particularly concerned about the negative impact HB 215 would have on business growth in NH. For these reasons, the majority of the committee recommends ITL for this bill. Vote 9-5.

Rep. James P. Belanger for the Minority of Municipal and County Government: Workforce housing is legislation in which housing is available to low income workers at affordable prices. The current law requires towns that have adopted planning regulations to make these developments available and to relax development standards to allow a developer to build such housing profitably. Towns and cities have the burden of proof to show they have adequate amounts of dwellings, which is subjective and not objective. They also need to show that their planning ordinances don't restrict the construction of such housing. This often requires court intervention which is costly and, if found at fault the town is liable to reimburse losses suffered by the developer. HB 215 provides relief for these issues by specifying what "fair share, reasonable or realistic" is, as outlined in the law. Current language in the statute is silent as it relates to the aforementioned. This bill is clear that once a town has provided the possibility to have a MINIMUM of 5% of their dwellings classified as workforce housing, they meet the standards although they can exceed the 5%. Although the current statute states that the deeds of new workforce housing MAY be restricted and continue as a workforce dwelling, this does not guarantee the continued availability of this type housing. HB 215 requires the dwelling to be restricted and available to future low income workers. Finally, HB 215 addresses a court opinion used as the foundation for workforce housing. The court said you must consider your town with others. This bill would make each town its own community.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Flanagan spoke against and yielded to questions.

Rep. Coffey spoke against.

Rep. Syndi White spoke in favor.

On a division vote, 213 members having voted in the affirmative and 125 in the negative, the majority committee report was adopted.

**HB 365**, relative to membership of village districts in regional planning commissions. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Dorothea D. Hooper for the Majority of Municipal and County Government: This bill would allow village districts to join regional planning commissions. The intent was to clarify that a village classifies as a municipality. The committee determined that this bill was unnecessary as it is already in law that a village district is classified as a municipality. Vote 10-6.

Rep. James E. Coffey for the Minority of Municipal and County Government: RSA 36:46 clearly states that any municipality in a planning region, that has a planning board, could with approval of its legislative body become a member of the regional planning commission. This bill addresses the inability of some regional planning commissions to define what constitutes a municipality. This bill simply clarifies that a village district is a municipal government, along with cities and towns.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Coffey spoke against.

Majority committee report adopted.

**HB 588**, extending the instream flow pilot program for 2 years. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Brian Wazlaw for the Majority of Resources, Recreation and Development: The New Hampshire legislature created the instream flow program to gain understanding of flows and to protect flow to best meet the needs of humans and wildlife. This bill extends the instream flow pilot program until December 2015. The two rivers under study are the Lamprey and Souhegan Rivers. The continuation of the program will allow the department to conduct a lake level investigation, to solicit and respond to public comments, to adopt and test water management plans for the two pilot rivers and to present a final water management report to the New Hampshire legislature. Vote 11-7.

Rep. Stephen Holmes for the Minority of Resources, Recreation and Development: While the minority supports the work of the pilot program, a two year extension has previously been granted and has expired. The minority had questions as to the costs, progress and efficient management of the program. It appears that more than \$1.3 million has been spent on the program to date. Research on the project has been ongoing informally since the early 1980's and formally since 2004. It is the opinion of the minority that this program could continue and conclude without the passage of this bill. Majority committee report adopted and ordered to third reading.

**HB 286**, relative to broadband infrastructure. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Charles L. Townsend for the Majority of Science, Technology and Energy: This bill is about making broadband, a key tool for economic development, health care delivery and education, available to all citizens in this state. Many towns throughout the state do not have good internet access. Many businesses and households in these towns have inadequate access for current internet needs such as small business connection, medical monitoring, video conferencing and distance learning. HB 286 provides an opportunity for municipalities to bond for the purpose of building open-access broadband infrastructure. The towns will not provide services: they will lease the infrastructure on an open, competitive basis to any providers of internet services who are interested in taking those services to areas currently underserved. The telecom industry has been reluctant to serve these areas because of the slow rate of recovery of their infrastructure investment. Allowing municipalities to bond to build such infrastructure will remove a major stumbling block for high speed-internet access for our citizens. Vote 11-8.

Rep. Nickolas J. Levasseur for the Minority of Science, Technology and Energy: This bill is intended to allow municipalities to bond in order to build open access broadband infrastructure. Under current law, municipalities are able to bond in order to build out infrastructure in unserved areas. This means that the focus in current law is entirely on unserved "last mile" build out-- those with no broadband access at all. This bill would change that focus. It would move the momentum of development away from the unserved and focus it instead on those who believe they are underserved-- those who have access, but want better speeds. The minority believes that feeding a starving man should take precedence over feeding one who is just kind of hungry. Beyond the philosophical argument that we should remain focused on getting everyone some access before we focus on making existing access better, the bill also has some major technical questions that remain unanswered. Who will be responsible for the bonding debt? Will it only be those who gain service as a result of the bonding? Will all taxpayers, including those who remain unserved or who choose not to be served also need to pay? Will municipally owned networks be taxable? If not, will the providers who operate on the open access network be getting a government-funded competitive advantage over traditional, free market providers? If the town cannot make the system profitable and default on the bond, will the state bear any responsibility? There are a myriad of unanswered questions surrounding this issue and, given the abysmal track record of these initiatives in other states the minority believed it was inappropriate to proceed. This bill, as amended, also completely precludes the original intent of the current municipal broadband bonding legislation which was to allow public/ private partnerships with existing carriers as the bill requires that the municipally owned networks are open access. As the traditional carriers use their own networks in their service this bill makes it impossible for a town to contract with an existing provider to meet the last mile goal. The minority finds this especially unfortunate as these public/private partnerships have shown to be successful in last mile build out in other states. In the final analysis, while the minority feels that this bill has laudable goals, the ultimate result would be that individual towns would be spending municipal funds to overbuild existing broadband infrastructure. This puts municipalities in a position to create and subsidize

government-funded entities which would compete with the existing providers. It leaves the unserved hanging in the wind, creates significant road blocks to free market build out, and puts tax payers on the hook for millions of dollars in redundant infrastructure all with no guarantee of success and, in fact, a track record of failure.

### Majority Amendment (0683h)

Amend the bill by replacing section 6 with the following:

6 Broadband Access. Amend RSA 38:38, II to read as follows:

II. *Except for municipally-owned networks which exclusively serve to connect municipal or school offices, or both*, a municipality ~~[may]~~ *shall* use its broadband infrastructure for the purpose of providing an open network ~~[and assuring that third party access is available in accordance with current state and federal regulations]~~ *and shall make use of open network interfaces. No municipality shall be a retail provider of broadband service.*

Rep. Borden moved Recommit and spoke in favor.

Adopted.

Recommitted to the Committee on Science, Technology and Energy.

**HB 306**, establishing a commission to develop an energy policy for the state. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Charles L. Townsend for the Majority of Science, Technology and Energy: This bill, with the committee amendment, allows New Hampshire's Regional Greenhouse Gas Initiative to lower the cap on emissions to assure that there continues to be a market for New Hampshire CO2 allowances. Vote 13-3.

Rep. Nickolas J. Levasseur for the Minority of Science, Technology and Energy: The Regional Greenhouse Gas Initiative, which began in 2009, has completed its required 2012 review. This review has resulted in the implementation of a significant cap reduction from 165 tons to 91 tons. This 45% reduction in the CAP will certainly result in the increase of RGGI allowance prices, energy market prices and customer costs but will not result in an improved environment. The Northeast region has successfully and significantly reduced CO2 emissions well beyond the original RGGI CO2 emissions targets. According to the 2012 RGGI Annual Report of the DES and the PUC (located on the NHPUC website), CO2 emissions in 2011 for the 9 states currently participating in RGGI were 103 tons. This represents over a 37% reduction in CO2 emissions, well above the 10% goal by 2018 originally established by the RGGI program. Based on current market information allowance prices may increase up to \$10 in the not to distant future. Increasing the RGGI allowance 5 fold will significantly increase electric bills. The money received in RGGI auctions is not "free" money. It is paid by each one of us in our electric bills. While these changes to RGGI will certainly perpetuate the program, it will not make it more effective. The minority believes that the program its better left as it is and not unnecessarily increase costs to ratepayers.

### Majority Amendment (0802h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to New Hampshire's regional greenhouse gas initiative.

Amend the bill by replacing all after the enacting clause with the following:

1 Multiple Pollutant Reduction Program; Rulemaking. Amend RSA 125-O:8, I(f) to read as follows:

(f) Defining eligible projects for offset allowances under RSA 125-O:21, V, and establishing criteria to quantify and grant such allowances, including the accreditation of third-party verifiers, *provided that rulemaking under RSA 541-A shall not be required to update offset allowance quantification protocols to newer versions, after the initial incorporation by reference of date-specific quantification protocols.*

2 Definitions; Compliance Period. Amend RSA 125-O:20, IV to read as follows:

IV. "Compliance period" means a 3 calendar year time period~~[- unless extended one calendar year by a stage-2 trigger event]~~. The first compliance period is from January 1, 2009 to December 31, 2011~~[- unless a stage-2 trigger event extends the first compliance period to December 31, 2012]~~. Each subsequent sequential 3 calendar year period is a separate compliance period ~~[subject to a one-year extension if a stage-2 trigger event occurs during the compliance period. The compliance period shall never be longer than 4 calendar years]~~.

3 New Paragraph; Definitions; FCPBA. Amend RSA 125-O:20 by inserting after paragraph VII the following new paragraph:

VII-a. "FCPBA" means "first compliance period banked allowances" which equals all of the 2009, 2010, and 2011 vintage RGGI allowances that are banked by any person, excluding any state participating in the RGGI program, as of January 1, 2014, multiplied by 8,620,460 and divided by the product of 165,184,246 times 7.

4 New Paragraph; Definitions; SCPBA. Amend RSA 125-O:20 by inserting after paragraph XV the following new paragraph:

XV-a. "SCPBA" means "second compliance period banked allowances" which equals all of the 2012 and 2013 vintage RGGI allowances that are banked by any person, excluding any state participating in the RGGI program, as of March 15, 2014, minus the total 2012 & 2013 CO2 emissions from all regional sources subject to RGGI, multiplied by 8,620,460 and divided by the product of 165,184,246 times 6.

5 Definitions; Regional Greenhouse Gas Initiative. Amend RSA 125-O:20, XII to read as follows:

XII. "Regional greenhouse gas initiative" or "RGGI" or "RGGI program" means the program to implement the memorandum of understanding (MOU) between signatory states, dated December 20, 2005, as amended [~~on August 8, 2006 and April 20, 2007~~], and the corresponding model rule *as amended February 11, 2013*, to establish a regional CO2 emissions budget and allowance trading program for emissions from fossil fuel-fired electricity generating units.

6 Carbon Dioxide Emissions Budget Trading Program. RSA 125-O:21, II is repealed and reenacted to read as follows:

II. The program shall include a statewide budget allowance total for each year calculated as follows:

2014	4,749,011 minus FCPBA
2015	4,630,286 minus FCPBA minus SCPBA
2016	4,514,529 minus FCPBA minus SCPBA
2017	4,401,665 minus FCPBA minus SCPBA
2018	4,291,624 minus FCPBA minus SCPBA
2019	4,184,333 minus FCPBA minus SCPBA
2020	4,079,725 minus FCPBA minus SCPBA
2021 and thereafter	4,079,725

7 Unsold Allowances for Cost Containment. Amend RSA 125-O:21, III-a to read as follows:

III-a. Budget allowances that are required to be made available for sale at auction under paragraph III, but remain unsold, shall not be retired by the department, *and may be used for cost containment purposes under RSA 125-O:29.*

8 Carbon Dioxide Emissions Budget Trading Program. Amend the introductory paragraph of RSA 125-O:21, VI to read as follows:

VI. The department and the commission shall report on an annual basis to the air pollution advisory committee under RSA 125-J:11 and the legislative oversight committee on electric utility restructuring under RSA 374-F:5, on the status of the implementation of RGGI in New Hampshire, with emphasis on the prices and availability of RGGI allowances to affected CO2 sources, *consumer protection mechanisms*, and the trends in electric rates for New Hampshire businesses and ratepayers. The report shall include but not be limited to:

9 Carbon Dioxide Emissions Budget Trading Program. Amend RSA 125-O:21, VI(h) to read as follows:

(h) The status of any proposed or adopted federal CO2 cap and trade program, the impact on New Hampshire's RGGI program, and recommendations for any proposed legislation necessary to accommodate the federal program; *and*

(i) *Effectiveness of allowance price control and consumer protection mechanisms, including, but not limited to, offsets, cost containment reserves, cost thresholds, and consumer rebates.*

10 Compliance; Permit Required. Amend RSA 125-O:22, I and II to read as follows:

I. Each affected CO2 source shall obtain and retire a quantity of RGGI allowances equivalent to its CO2 emissions from fossil-fuel fired generation for each compliance period. *Such retirement shall be done in stages. At the end of both the first and second year of the compliance period, RGGI allowances equal to 1/2 of the affected source's CO2 emissions during each respective year shall be retired. At the end of the third year of the compliance period, the balance of the total allowances due shall be retired. The retirement of allowances at the end of the first and second year shall not apply to the compliance period ending December 31, 2014.*

II. An affected CO2 source may use offset allowances for up to 3.3 percent of its compliance obligation[ ~~except that in a given compliance period:~~

(a) ~~If a stage-one trigger event occurs, an affected CO2 source may use offset allowances for up to 5 percent of its compliance obligation; and~~

(b) ~~If a stage-2 trigger event occurs, the compliance period shall be extended to 4 years and an affected CO2 source may use offset allowances for up to 10 percent of its compliance obligation, including offset allowances or credits permanently retired from eligible international trading programs, as approved by the department].~~

11 Threshold Price Rebate. Amend RSA 125-O:23, II to read as follows:

II. All amounts in excess of the threshold price of \$1 for any allowance sale shall be rebated to all ~~[default service]~~ **retail** electric ratepayers in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

12 Auction of Budget Allowances. Amend RSA 125-O:26, II to read as follows:

II. Shall include the sale of allowances for current ~~[and future]~~ years **and may include the sale of allowances for future years** to promote transparency and price stability in a manner to be determined by the department in coordination with the regional organization;

13 Review of the New Hampshire RGGI Program. Amend RSA 125-O:27 to read as follows:

125-O:27 Review of the New Hampshire RGGI Program. At the time of the ~~[2012]~~ **2016** comprehensive review by the ~~[signatory states as required in the MOU]~~ **participating states**, the commission and the department shall concurrently review New Hampshire specific elements of the RGGI program, ~~[in particular RSA 125-O:23 and RSA 125-O:25;]~~ and include the results of such review **and any recommendations for revisions to the New Hampshire regional greenhouse gas initiative program under RSA 125-O:19-29, resulting from this review** in the agencies' annual report under RSA 125-O:21, VI.

14 New Section; Allowances Used for Cost Containment. Amend RSA 125-O by inserting after section 28 the following new section:

125-O:29 Cost Containment Allowances in Addition to the Budget.

I. For the purposes of cost containment, the department shall make available for sale at one or more auctions up to 260,935 allowances for 2014 or, for any year thereafter, up to 521,869 allowances, that shall be in addition to the budget allowance total for the given year under RSA 125-O:21, II, if:

- (a) The CO2 allowance auction price equals or exceeds \$4 in 2014;
- (b) The CO2 allowance auction price equals or exceeds \$6 in 2015;
- (c) The CO2 allowance auction price equals or exceeds \$8 in 2016;
- (d) The CO2 allowance auction price equals or exceeds \$10 in 2017;
- (e) The CO2 allowance auction price equals or exceeds \$10.25 in 2018;
- (f) The CO2 allowance auction price equals or exceeds \$10.51 in 2019;
- (g) The CO2 allowance auction price equals or exceeds \$10.77 in 2020; or

(h) In any year thereafter, the CO2 allowance auction price equals or exceeds 1.025 multiplied by the auction price at which cost containment allowances were required to be made available in the previous calendar year rounded to the nearest whole cent, until further legislative action.

II. The allowances sold pursuant to paragraph I shall be replenished, such that the full 521,869 allowances, if needed, are available the following calendar year.

15 Repeal. RSA 125-O:20, V, VIII, XVI, and XVII relative to regional greenhouse gas initiative definitions, are repealed.

16 Effective Date. This act shall take effect January 1, 2014.

#### AMENDED ANALYSIS

This bill modifies New Hampshire's regional greenhouse gas initiative.

Rep. Flanagan spoke against and yielded to questions.

Rep. Borden spoke in favor.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

**YEAS 191 NAYS 157**

**YEAS 191**

**BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
White, Syndi

Crawford, Karel

Lavender, Tom

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia

Hatch, William

**GRAFTON**

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Christiansen, Lars  
Dobson, Jeremy  
Goley, Jeffrey  
Hansberry, Daniel  
Kelley, John  
Long, Patrick  
McNamara, Richard  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne

Beaulieu, Jane  
Campbell, David  
Connor, Evelyn  
Gage, Ruth  
Gorman, Mary  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
MacKay, Mariellen  
Nelson, Mary  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Boisvert, Ronald  
Carroll, Douglas  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Heden, Ruth  
Leishman, Peter  
Manley, Jonathan Sr  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Booras, Efsthathia  
Chandley, Shannon  
DiSilvestro, Linda  
Gidge, Kenneth  
Hammond, Jill  
Jack, Martin  
Levesque, Melanie  
McCloskey, David  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Peter  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Ratzki, Mario  
Schuett, Dianne  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Borden, David  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Mann, Maureen  
Schlachman, Donna  
Wazlaw, Brian

Briden, Steven  
Copeland, Timothy  
Heffron, Frank  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

Burtis, Elizabeth  
Cushing, Robert Jr  
Helmstetter, Barbara  
Muns, Chris  
Till, Mary

**STRAFFORD**

Baber, William  
Ginsburg, Philip

Bixby, Peter  
Grassie, Anne

Burdwood, Greg  
Grossman, Kenneth

Gardner, Janice  
Hooper, Dorothea



Horrigan, Timothy  
Meneer, H. Robert III  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Irwin, Virginia  
Tanner, Linda

### NAYS 157

### BELKNAP

Burchell, Richard  
Flanders, Donald  
Tilton, Franklin

Comtois, Guy  
Greemore, Robert Jr  
Vadney, Herbert

Cormier, Jane  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

### CARROLL

Ahlgren, Christopher  
Morrow, Harry  
Wright, Donald

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

### CHESHIRE

Hunt, John

Johnson, Jane

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Thomas, Yvonne

### GRAFTON

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Danielson, David  
Graham, John  
Hinch, Richard  
Lambert, George  
McCarthy, Michael  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Villeneuve, Moe

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Haefner, Robert  
Infantine, William  
LeBrun, Donald  
Meaney, Richard  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Takesian, Charlene  
Warden, Mark

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn  
Levasseur, Nickolas  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Soucy, Timothy  
Ulery, Jordan  
Willette, Robert

Burt, John  
Daniels, Gary  
Garcia, Michael  
Hikel, John  
Kurk, Neal  
LeVasseur, Richard  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Vaillancourt, Steve  
Winters, Joel

### MERRIMACK

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank  
Smith, Todd

Lockwood, Priscilla  
Walsh, Thomas IV

McGuire, Carol

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Danaïs, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey

Allen, Mary  
Charron, Gene  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Grace, Curtis  
Hodgdon, Bruce

Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen

Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Hagan, Joseph  
Itse, Daniel

Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter	Major, Norman
McKinney, Betsy	McMahon, Charles	Milz, David	Nigrello, Robert
O'Connor, John	Packard, Sherman	Peckham, Michele	Perkins, Lawrence
Priestley, Anne	Sanders, Elisabeth	Sapareto, Frank	Scarlotto, Joe
Schroadter, Adam	Sedensky, John	St.James, Kevin	Sweeney, Joe
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Thompson, David
Tremblay, Stella	Waterhouse, Kevin	Webb, James Sr	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Gray, James	Groen, Warren
Jones, Laura	Parsons, Robbie	Pelletier, Marsha	Pitre, Joseph

**SULLIVAN**

Grenier, James	Rollins, Skip	Smith, Steven
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and the majority committee amendment was adopted.

Rep. Moffett declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Borden yielded to questions.

On a division vote, 190 members having voted in the affirmative and 156 in the negative, the majority committee report was adopted and ordered to third reading.

Rep. Moffett declared a conflict of interest and did not participate.

**HB 508**, relative to idling by diesel locomotives. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert A. Backus for the Majority of Science, Technology and Energy: This bill would prohibit the idling of commuter diesel locomotives, and in certain instances where located near sensitive receptors, other locomotives, for more than 30 minutes, unless a longer idling time is essential for repair. The sponsor brought this bill forward at the request of officials in the Town of Plaistow in anticipation of extension of commuter rail service by the MBTA to New Hampshire. The bill tracks similar limitations on idling in force in other states and is intended to address potential adverse health impacts and nuisance concerns resulting from lengthy idling. Enforcement is left up to the municipalities, which are not to unreasonably limit the operation of locomotives. Vote 12-7.

Rep. Herbert R. Vadney for the Minority of Science, Technology and Energy: The minority feels undefined and difficult to quantify terms make this bill unenforceable with any reasonable level of equity. Narrowly aimed at commuter rail diesel locomotives that idle unnecessarily for longer than 30 minutes, it tasks local law enforcement to apply subjective evaluation to determine violations, and uses subjective phrases such as: "providing that such idling is essential;" "such idling does not cause or contribute to air pollution;" or within 1000 feet of another "sensitive receptor." After such loosely defined criteria it authorizes local law enforcement to enforce the provisions and assess fines of \$500 to \$2,000 to be paid to the clerk of the town or city. It is unlikely local law enforcement people have the skills to fairly enforce such loose definitions. NH department of environmental services (DES) has stated they cannot respond to such situations and cannot provide enforcement.

**Majority Amendment (0424h)**

Amend RSA 125-C:10-d as inserted by section 1 of the bill by replacing it with the following:

125-C:10-d Idling by Diesel Locomotives.

I. For purposes of this section "commuter rail" means urban passenger train service consisting of local short distance travel operating between adjacent cities and towns, or between a central city and adjacent suburbs, using either locomotive hauled or multiple unit railroad passenger cars.

II. No person shall cause or permit the unnecessary and foreseeable idling of a commuter rail diesel locomotive for a continuous period of time longer than 30 minutes. This section shall not apply to commuter rail diesel locomotives being serviced, provided that idling is essential to the proper repair of said locomotive and that such idling does not cause or contribute to a condition of air pollution. Diesel locomotives other than commuter rail shall not be subject to the idling restriction in this section, unless the location where a locomotive idles is less than 1000 feet from any residential area, school, nursing home, day care, hospital, or other sensitive receptor.

III. Local law enforcement may enforce the provisions of this section. Any person who violates any provision of this section shall be guilty of a violation and may be assessed by local law enforcement, after notice and hearing, a fine for the first offense not to exceed \$500 and for each subsequent offense not to exceed \$2000 which shall be paid to the clerk of the town or city where the violation occurred.

IV. Nothing in this section shall be construed to limit the authority of a municipality or the department of health and human services to prevent and remove nuisances and protect public health in accordance with RSA 147, or of a municipality to adopt and enforce land use ordinances and regulations pursuant to RSA 674 and RSA 675 relative to idling of locomotives. A municipality shall not establish quantifiable emission limits, require testing, monitoring, or certification, or specify the types of fuels used. In exercising its authority under this section, a municipality shall not unreasonably limit the operation of locomotives.

V. This section shall not apply to diesel locomotives used for amusement railroads. The term "amusement railroad" shall have the same definition as in RSA 82:1, III.

On a division vote, 208 members having voted in the affirmative and 128 in the negative, the majority committee amendment was adopted.

Rep. Leishman declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, 211 members having voted in the affirmative and 128 in the negative, the majority committee report was adopted and ordered to third reading.

Rep. Leishman declared a conflict of interest and did not participate.

**HB 542**, relative to electric renewable portfolio standards. **OUGHT TO PASS WITH AMENDMENT.** Rep. Nickolas J. Levesasseur for Science, Technology and Energy: This bill makes changes to the renewable portfolio standard, or RPS. In the last session changes were made to the alternative compliance price (ACP) in an effort to reduce the cost of the program to ratepayers. Ultimately, those changes did not result in any net savings to the ratepayers. They did have the effect of making the RPS program less effective in meeting its overall goal of encouraging renewable energy development. While not every member of the committee agrees on the need for a program such as RPS, the committee uniformly agreed that as long as the program does exist it should be efficient and be able to meet its goals. These changes restore the ACP for the classes altered last session back to what they would have been, accounting for inflation, if they had never been changed. This bill also makes a change to the maximum allowed installation capacity of solar photovoltaic systems under the PV rebate program from 5 kilowatts to less than 10 kilowatts. This change acknowledges the advances in PV technology which allow systems of comparable cost to have much greater output than just a few years ago. The maximum rebate under the program remains unchanged in this bill. The last change allows some flexibility as to what types of renewable projects class II funds could be directed. For example, an RFP that uses both solar and wind components would now be able to qualify for class II funds. This allows for more balance in the overall system and makes RPS better able to meet its goals. Vote 19-0.

#### **Amendment (0634h)**

Amend RSA 362-F:10, II(b) and (c) as inserted by section 2 of the bill by replacing it with the following:

(b) Class II--~~[\$55]~~ **\$171.83.**

(c) Class III--~~[\$31.50]~~ **\$32.08.**

Amend RSA 362-F:10, V as inserted by section 2 of the bill by replacing it with the following:

V. The public utilities commission shall make and administer a one-time incentive payment of \$3 per watt of nominal generation capacity up to a maximum payment of \$6,000, or 50 percent of system costs, whichever is less, per facility to any residential owner of a small renewable generation facility, that would qualify as a Class I or Class II source of electricity, has a total peak generation capacity of ~~[less than 5]~~ **10** kilowatts ~~or fewer~~, begins operation on or after July 1, 2008, and is located on or at the owner's residence.

Amendment adopted.

Committee report adopted and ordered to third reading.

**HB 638**, recognizing the original Thirteenth Amendment to the United States Constitution. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Timothy J. Smith for the Majority of State-Federal Relations and Veterans Affairs: From a historical perspective, the history of the Thirteenth Amendment is quite interesting. However, this bill contains a widely debunked conspiracy theory which has already been found without merit by the U.S. Federal Courts. Vote 10-5.

Rep. Leon H. Rideout for the Minority of State-Federal Relations and Veterans Affairs: The minority felt that this bill should be retained for further study. The committee members were given a large quantity of information, and many people that had come to testify, including the secretary of state, could not due to the fact that the committee was running very late.

### LAID ON THE TABLE

Rep. Vaillancourt moved that **HB 638**, recognizing the original Thirteenth Amendment to the United States Constitution, be laid on the table.

Rep. Lambert requested a roll call; not sufficiently seconded.

On a division vote, 275 members having voted in the affirmative and 64 in the negative, the motion was adopted.

**HCR 2**, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Robert L. Theberge for the Majority of State-Federal Relations and Veterans Affairs: This resolution urges the New Hampshire Congressional delegation to support and advance an amendment to the U.S. Constitution establishing that human beings, not corporations, are entitled to constitutional rights and that money given to political campaigns, or spent by them, is not a form of constitutionally protected free speech. The requested constitutional amendment will overrule the U.S. Supreme Court's decision in "Citizens United v. FEC" (2010). This resolution also expresses the view that "the Supreme Court is misguided in principle, and wrong on the law, because in a democracy, the people rule." In passing this resolution, New Hampshire joins a growing national movement that already includes eleven other states, more than one quarter of Congress, and nearly 500 cities, states, and counties, including Barnstead, Bradford, Nottingham here in New Hampshire, all of which have called for a constitutional amendment to overturn "Citizens United," with the support of an overwhelming majority of the American public. Vote 9-8.

Rep. Alfred P. Baldasaro for the Minority of State-Federal Relations and Veterans Affairs: The vote when first voted was an OTP 8-5. A week later the committee held the bill for a reconsideration, brought in two new members to exec, a motion to reconsider, then a motion to ITL. The minority supported that there is no need for a constitutional amendment to change the Supreme Court's decision of January 21, 2010 in the citizens united vs. federal election commission, where corporations have the same first amendment rights as human beings. Twenty-four states to date have laws in place prohibiting corporations from making independent expenditures from their general treasury. We believe that congress can make laws pertaining to public corporations and unions, whereas public corporations have to answer to stockholders and unions have to answer to their members when donating millions of dollars to political action committees (PACs) without their approval.

### MOTION TO LAY ON THE TABLE

Rep. Hunt moved that **HCR 2**, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights, be laid on the table.

Rep. Theberge requested a roll call; sufficiently seconded.

**YEAS 160 NAYS 182**

#### YEAS 160 BELKNAP

Burchell, Richard	Comtois, Guy
Fields, Dennis	Fink, Charles
Sylvia, Michael	Tilton, Franklin

Cormier, Jane
Flanders, Donald
Worsman, Colette

DiMartino, Lisa
Greemore, Robert Jr

#### CARROLL

Ahlgren, Christopher	Chandler, Gene
McConkey, Mark	Morrow, Harry
Umberger, Karen	Wright, Donald

Cordelli, Glenn
Nelson, Bill

Crawford, Karel
Schmidt, Stephen

**CHESHIRE**

Burridge, Delmar

Hunt, John

Johnson, Jane

Roberts, Kris

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**Bradley, Lester  
Nordgren, SharonDoolan, Ralph Jr  
Reilly, Harold Sr

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**Barry, Richard  
Byron, Frank  
Daniels, Gary  
Gage, Ruth  
Haefner, Robert  
Infantime, William  
LeBrun, Donald  
Murphy, Kelleigh  
Ober, Lynne  
Pellegriano, Tony  
Rowe, Robert  
Straight, Philip  
Ulery, Jordan  
Willette, RobertBelanger, James  
Cebrowski, John  
Danielson, David  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
Nelson, Mary  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Vaillancourt, SteveBoehm, Ralph  
Christiansen, Lars  
DiSilvestro, Linda  
Gargas, Carolyn  
Hikel, John  
Kelley, John  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Sullivan, Daniel  
Villeneuve, MoeBurt, John  
Coffey, James  
Flanagan, Jack  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Murphy, Keith  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Shaw, Barbara  
Takesian, Charlene  
Warden, Mark**MERRIMACK**Andrews, Christopher  
Kotowski, Frank  
McGuire, DanHenle, Paul  
Lockwood, Priscilla  
Walsh, Thomas IVHoell, J.R.  
MacKay, JamesKidder, David  
McGuire, Carol**ROCKINGHAM**Abrami, Patrick  
Birdsell, Regina  
Chirichiello, Brian  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Kolodziej, Walter  
Milz, David  
Peckham, Michele  
Scarlottio, Joe  
St.James, Kevin  
Waterhouse, KevinAllen, Mary  
Borden, David  
Copeland, Timothy  
Dumaine, Dudley  
Friel, William  
Grace, Curtis  
Hodgdon, Bruce  
Major, Norman  
Nigrello, Robert  
Perkins, Lawrence  
Schroadter, Adam  
Sytek, John  
Webb, James SrBaldasaro, Alfred  
Cali-Pitts, Jacqueline  
Danais, Romeo  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
McKinney, Betsy  
O'Connor, John  
Priestley, Anne  
Sedensky, John  
Tamburello, DanielBick, Patrick  
Charron, Gene  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Kappler, Lawrence  
McMahon, Charles  
Packard, Sherman  
Sanders, Elisabeth  
Sherman, Thomas  
Thompson, David**STRAFFORD**Beaudoin, Steven  
Jones, Laura  
Verschuieren, JamesGray, James  
Parsons, RobbieGroen, Warren  
Pitre, JosephHubbard, Pamela  
Spainhower, Dale**SULLIVAN**Gagnon, Raymond  
Smith, Steven

Grenier, James

Irwin, Virginia

Rollins, Skip

**NAYS 182****BELKNAP**Arsenault, Beth  
Raymond, IanGulick, Ruth  
Vadney, Herbert

Holmes, Stephen

Huot, David

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Piper, Wendy  
White, Andrew

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Smith, Suzanne

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Sykes, George

Cooney, Mary  
Higgins, Patricia  
Pastor, Beatriz  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Cote, David  
Gidge, Kenneth  
Hammond, Jill  
Jack, Martin  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Porter, Marjorie  
Smith, Timothy  
Vail, Suzanne  
Woodbury, David

Beaulieu, Jane  
Carroll, Douglas  
Dobson, Jeremy  
Goley, Jeffrey  
Hansberry, Daniel  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
Rhodes, Brian  
Soucy, Timothy  
Walsh, Robert Jr

Boisvert, Ronald  
Chandley, Shannon  
Gale, Sylvia  
Gorman, Mary  
Harriott-Gathright, Linda  
Lambert, George  
Long, Patrick  
McNamara, Richard  
Schmidt, Janice  
Spratt, Stephen  
Williams, Kermit

Brown, Pamela  
Connor, Evelyn  
Garcia, Michael  
Grady, Brenda  
Heden, Ruth  
Leishman, Peter  
MacKay, Mariellen  
O'Flaherty, Tim  
Shattuck, Gilman  
Sullivan, Peter  
Winters, Joel

**MERRIMACK**

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Moffett, Howard  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Ratzki, Mario  
Schuett, Dianne  
Walz, Mary Beth

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Comerford, Timothy  
Ferrante, Beverly  
Itse, Daniel  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Briden, Steven  
Cushing, Robert Jr  
Flockhart, Eileen  
Khan, Aboul  
Muns, Chris  
Till, Mary  
Weyler, Kenneth

Burtis, Elizabeth  
Devine, James  
Heffron, Frank  
Lovejoy, Patricia  
Pantelakos, Laura  
Tremblay, Stella  
Whittemore, Lisa

Cahill, Michael  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Mann, Maureen  
Sapareto, Frank  
Ward, Gerald

**STRAFFORD**

Baber, William  
Ginsburg, Philip

Bickford, David  
Grassie, Anne

Bixby, Peter  
Grossman, Kenneth

Burdwood, Greg  
Horrigan, Timothy

Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Ward, Kenneth

Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith

Miller, David  
Rollo, Deanna  
Stevens, Audrey

Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

### SULLIVAN

Cloutier, John  
Sweeney, Cynthia  
and the motion failed.

Gottling, Suzanne  
Tanner, Linda

O'Hearne, Andrew

Schmidt, Andrew

The question now being adoption of the majority committee report of Ought to Pass.  
Rep. Baldasaro spoke against.

Rep. Timothy Smith spoke in favor and yielded to questions.

### MOTION TO INDEFINITELY POSTPONE

Rep. Hoell moved that **HCR 2**, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights, be Indefinitely Postponed.

Rep. Hoell spoke in favor.

### MOTION TO LAY ON THE TABLE

Rep. Vaillancourt moved that **HCR 2**, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights, be laid on the table.

Rep. Daniel Eaton requested a roll call; sufficiently seconded.

**YEAS 150 NAYS 186**

### YEAS 150

#### BELKNAP

Burchell, Richard  
Flanders, Donald  
Vadney, Herbert

Cormier, Jane  
Greemore, Robert Jr  
Worsman, Colette

Fields, Dennis  
Sylvia, Michael

Fink, Charles  
Tilton, Franklin

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Burridge, Delmar

Hunt, John

Johnson, Jane

Roberts, Kris

#### COOS

Enman, Larry

Rideout, Leon

Thomas, Yvonne

#### GRAFTON

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

#### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
DiSilvestro, Linda  
Graham, John  
Jasper, Shawn  
LeVasseur, Richard  
Murphy, Kelleigh  
Palmer, Stephen  
Pratt, Calvin

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Haefner, Robert  
Kurk, Neal  
McCarthy, Michael  
Nelson, Mary  
Parison, James  
Renzullo, Andrew

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Hansen, Peter  
Lambert, George  
Meaney, Richard  
Notter, Jeanine  
Pellegrino, Tony  
Rowe, Robert

Burt, John  
Daniels, Gary  
Gargas, Carolyn  
Hikel, John  
LeBrun, Donald  
Murphy, Keith  
O'Brien, William  
Peterson, Lenette  
Sanborn, Laurie

Sandblade, Emily  
Stroud, Kathleen  
Vaillancourt, Steve

Shaw, Barbara  
Sullivan, Daniel  
Villeneuve, Moe

Soucy, Timothy  
Takesian, Charlene  
Warden, Mark

Straight, Philip  
Ulery, Jordan  
Willette, Robert

### MERRIMACK

Henle, Paul  
Kotowski, Frank  
McGuire, Dan

Hoell, J.R.  
Lockwood, Priscilla  
Patten, Dick

Hunt, Jane  
MacKay, James  
Walsh, Thomas IV

Kidder, David  
McGuire, Carol

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Grace, Curtis  
Hoelzel, Kathleen  
McKinney, Betsy  
O'Connor, John  
Sanders, Elisabeth  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Hagan, Joseph  
Kappler, Lawrence  
McMahon, Charles  
Packard, Sherman  
Sapareto, Frank  
St.James, Kevin  
Tremblay, Stella

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Harris, Jeffrey  
Kolodziej, Walter  
Milz, David  
Peckham, Michele  
Scarlottio, Joe  
Sytek, John  
Waterhouse, Kevin

Bick, Patrick  
Charron, Gene  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Hodgdon, Bruce  
Major, Norman  
Nigrello, Robert  
Perkins, Lawrence  
Schroadter, Adam  
Tamburello, Daniel  
Webb, James Sr

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

### SULLIVAN

Gagnon, Raymond  
Smith, Steven

Grenier, James

Irwin, Virginia

Rollins, Skip

### NAYS 186

### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

### COOS

Coulombe, Gary  
Rappaport, Laurence

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne

### GRAFTON

Almy, Susan  
Ford, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Gionet, Edmond  
Lovett, Sid  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Harding, Laurie  
Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew



**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Christiansen, Lars  
Dobson, Jeremy  
Gidge, Kenneth  
Hammond, Jill  
Jack, Martin  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Porter, Marjorie  
Smith, Timothy  
Walsh, Robert Jr

Beaulieu, Jane  
Campbell, David  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hansberry, Daniel  
Kelley, John  
Levesque, Melanie  
McCloskey, David  
Rhodes, Brian  
Spratt, Stephen  
Williams, Kermit

Boisvert, Ronald  
Carroll, Douglas  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Schmidt, Janice  
Sullivan, Peter  
Winters, Joel

Booras, Efstathia  
Chandlee, Shannon  
Danielson, David  
Garcia, Michael  
Grady, Brenda  
Heden, Ruth  
Leishman, Peter  
MacKay, Mariellen  
O'Flaherty, Tim  
Shattuck, Gilman  
Vail, Suzanne  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Moffett, Howard  
Schamberg, Thomas  
Turcotte, Alan

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Ratzki, Mario  
Schuett, Dianne  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Karrick, David Jr  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Kelly, Sally  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Comerford, Timothy  
Gordon, Richard  
Itse, Daniel  
Muns, Chris  
Till, Mary

Briden, Steven  
Cushing, Robert Jr  
Griffin, Mary  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Heffron, Frank  
Mann, Maureen  
Priestley, Anne  
Wazlaw, Brian

Cahill, Michael  
Flockhart, Eileen  
Helmstetter, Barbara  
Moody, Marcia  
Schlachman, Donna  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Grassie, Anne  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Grossman, Kenneth  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Verschuieren, James

Burdwood, Greg  
Horrigan, Timothy  
Menear, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Ginsburg, Philip  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Sweeney, Cynthia  
and the motion failed.

Gottling, Suzanne  
Tanner, Linda

O'Hearne, Andrew

Schmidt, Andrew

The question now being adoption of the motion to Indefinitely Postpone.  
Reps. Hoell, Vaillancourt, Rideout and Perry spoke in favor.  
Rep. Robertson spoke against and yielded to questions.  
Rep. Lambert requested a roll call; sufficiently seconded.

**YEAS 151 NAYS 187**

**YEAS 151****BELKNAP**

Burchell, Richard  
Flanders, Donald  
Vadney, Herbert

Cormier, Jane  
Greemore, Robert Jr  
Worsman, Colette

Fields, Dennis  
Sylvia, Michael

Fink, Charles  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Burrige, Delmar  
Tatro, Bruce

Hunt, John

Johnson, Jane

Roberts, Kris

**COOS**

Richardson, Herbert

Rideout, Leon

Thomas, Yvonne

**GRAFTON**

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

Reilly, Harold Sr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Danielson, David  
Graham, John  
Infantine, William  
Lambert, George  
Murphy, Keith  
O'Brien, William  
Peterson, Lenette  
Sanborn, Laurie  
Straight, Philip  
Ulery, Jordan

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Haefner, Robert  
Jasper, Shawn  
LeBrun, Donald  
Murphy, Kelleigh  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Stroud, Kathleen  
Vaillancourt, Steve

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Hansen, Peter  
Kelley, John  
LeVasseur, Richard  
Nelson, Mary  
Parison, James  
Renzullo, Andrew  
Shaw, Barbara  
Sullivan, Daniel  
Villeneuve, Moe

Burt, John  
Daniels, Gary  
Gargasz, Carolyn  
Hikel, John  
Kurk, Neal  
Meaney, Richard  
Notter, Jeanine  
Pellegrino, Tony  
Rowe, Robert  
Soucy, Timothy  
Takesian, Charlene  
Warden, Mark

**MERRIMACK**

Henle, Paul  
Kotowski, Frank  
Walsh, Thomas IV

Hoell, J.R.  
Lockwood, Priscilla  
Webb, Leigh

Kelly, Sally  
McGuire, Carol

Kidder, David  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Major, Norman  
Nigrello, Robert  
Perkins, Lawrence  
Scarlotto, Joe  
Sytek, John  
Waterhouse, Kevin

Allen, Mary  
Charron, Gene  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
McKinney, Betsy  
O'Connor, John  
Priestley, Anne  
Schroadter, Adam  
Tamburello, Daniel  
Webb, James Sr

Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Kappler, Lawrence  
McMahon, Charles  
Packard, Sherman  
Sanders, Elisabeth  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Bick, Patrick  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Kolodziej, Walter  
Milz, David  
Peckham, Michele  
Sapareto, Frank  
St.James, Kevin  
Tremblay, Stella

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

**SULLIVAN**

Irwin, Virginia

Rollins, Skip

Smith, Steven

**NAYS 187****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Merrow, Harry

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Young, Harry

Berch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Weber, Lucy

Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Theberge, Robert

Hatch, William

**GRAFTON**

Almy, Susan  
Ford, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Gionet, Edmond  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Christiansen, Lars  
Dobson, Jeremy  
Gidge, Kenneth  
Hammond, Jill  
Jack, Martin  
Levesque, Melanie  
McCloskey, David  
Rhodes, Brian  
Spratt, Stephen  
Willette, Robert

Beaulieu, Jane  
Campbell, David  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hansberry, Daniel  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Schmidt, Janice  
Sullivan, Peter  
Williams, Kermit

Boisvert, Ronald  
Carroll, Douglas  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Harriott-Gathright, Linda  
Leishman, Peter  
MacKay, Mariellen  
O'Flaherty, Tim  
Shattuck, Gilman  
Vail, Suzanne  
Winters, Joel

Booras, Efstathia  
Chandley, Shannon  
DiSilvestro, Linda  
Garcia, Michael  
Grady, Brenda  
Heden, Ruth  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Porter, Marjorie  
Smith, Timothy  
Walsh, Robert Jr  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
MacKay, James  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Moffett, Howard  
Rogers, Katherine  
Tilton, Joy

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Ratzki, Mario  
Schuett, Dianne  
Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Moody, Marcia  
Till, Mary

Borden, David  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Itse, Daniel  
Muns, Chris  
Ward, Gerald

Briden, Steven  
Comerford, Timothy  
Gordon, Richard  
Lovejoy, Patricia  
Pantelakos, Laura  
Wazlaw, Brian

Burtis, Elizabeth  
Cushing, Robert Jr  
Heffron, Frank  
Mann, Maureen  
Schlachman, Donna  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Grassie, Anne

Bixby, Peter  
Grossman, Kenneth

Burdwood, Greg  
Horrigan, Timothy

Ginsburg, Philip  
Hubbard, Pamela

Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Verschuere, James

Meneer, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Miller, David  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
and the motion failed.

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Grenier, James  
Tanner, Linda

The question now being adoption of the majority committee report of Ought to Pass.  
Reps. William O'Brien and Lambert spoke against.

Rep. Perry spoke in favor.

Rep. Lambert moved Recommit and spoke in favor.

Rep. Baldasaro spoke against.

On a division vote, 65 members having voted in the affirmative and 263 in the negative, the motion failed.

The question now being adoption of the majority committee report of Ought to Pass.

Rep. Weed spoke in favor.

Rep. Cushing requested a roll call; sufficiently seconded.

### YEAS 189 NAYS 139

#### YEAS 189

#### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Holmes, Stephen

Huot, David

#### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

#### GRAFTON

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

#### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Goley, Jeffrey  
Hansberry, Daniel  
Kelley, John

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Garcia, Michael  
Gorman, Mary  
Harriott-Gathright, Linda  
Knowles, Mary Ann

Boisvert, Ronald  
Chandlee, Shannon  
Dobson, Jeremy  
Gargas, Carolyn  
Grady, Brenda  
Heden, Ruth  
Leishman, Peter

Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Gidge, Kenneth  
Hammond, Jill  
Jack, Martin  
Levasseur, Nickolas

Levesque, Melanie  
McCloskey, David  
Shattuck, Gilman  
Sullivan, Peter  
Woodbury, David

Long, Patrick  
O'Flaherty, Tim  
Smith, Timothy  
Vail, Suzanne

MacKay, Mariellen  
Porter, Marjorie  
Spratt, Stephen  
Walsh, Robert Jr

Manley, Jonathan Sr  
Schmidt, Janice  
Sullivan, Daniel  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rogers, Katherine  
Tilton, Joy

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Ratzki, Mario  
Schuett, Dianne  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Moody, Marcia  
Till, Mary

Borden, David  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Itse, Daniel  
Muns, Chris  
Ward, Gerald

Briden, Steven  
Comerford, Timothy  
Gordon, Richard  
Lovejoy, Patricia  
Pantelakos, Laura  
Wazlaw, Brian

Burtis, Elizabeth  
Cushing, Robert Jr  
Heffron, Frank  
Mann, Maureen  
Schlachman, Donna  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Ginsburg, Philip  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Bickford, David  
Grassie, Anne  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Grossman, Kenneth  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Burdwood, Greg  
Horrigan, Timothy  
Meneau, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

### NAYS 139

### BELKNAP

Burchell, Richard  
Flanders, Donald  
Vadney, Herbert

Cormier, Jane  
Greemore, Robert Jr  
Worsman, Colette

Fields, Dennis  
Sylvia, Michael

Fink, Charles  
Tilton, Franklin

### CARROLL

Ahlgren, Christopher  
Lavender, Tom  
Schmidt, Stephen

Chandler, Gene  
McConkey, Mark  
Umberger, Karen

Cordelli, Glenn  
Morrow, Harry  
Wright, Donald

Crawford, Karel  
Nelson, Bill

### CHESHIRE

Hunt, John

Johnson, Jane

Roberts, Kris

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Daniels, Gary	Danielson, David	Flanagan, Jack	Gagne, Larry
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Jasper, Shawn	Kurk, Neal	Lambert, George	LeBrun, Donald
LeVasseur, Richard	McCarthy, Michael	Meaney, Richard	Murphy, Keith
Murphy, Kelleigh	Nelson, Mary	Notter, Jeanine	O'Brien, William
Palmer, Stephen	Parison, James	Pellegrino, Tony	Peterson, Lenette
Pratt, Calvin	Renzullo, Andrew	Rowe, Robert	Sandblade, Emily
Shaw, Barbara	Stroud, Kathleen	Takesian, Charlene	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark	Willette, Robert
Winters, Joel			

**MERRIMACK**

Hoell, J.R.	Lockwood, Priscilla	McGuire, Carol	McGuire, Dan
Walsh, Thomas IV	Webb, Leigh		

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Charron, Gene	Chirichiello, Brian	Copeland, Timothy
Danais, Romeo	DeSimone, Debra	Devine, James	Duarte, Joe
Dumaine, Dudley	Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly
Fesh, Robert	Friel, William	Garcia, Bianca	Garcia, Marilinda
Grace, Curtis	Griffin, Mary	Hagan, Joseph	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Kappler, Lawrence	Kolodziej, Walter
Major, Norman	McKinney, Betsy	Milz, David	Nigrello, Robert
O'Connor, John	Packard, Sherman	Peckham, Michele	Perkins, Lawrence
Priestley, Anne	Sanders, Elisabeth	Sapareto, Frank	Schroadter, Adam
Sedensky, John	St.James, Kevin	Sytek, John	Tamburello, Daniel
Thompson, David	Tremblay, Stella	Waterhouse, Kevin	Webb, James Sr
Weyler, Kenneth			

**STRAFFORD**

Beaudoin, Steven	Gray, James	Groen, Warren	Jones, Laura
Parsons, Robbie	Pitre, Joseph		

**SULLIVAN**

Rollins, Skip                      Smith, Steven

and the majority committee report was adopted and ordered to third reading.

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Thursday, March 21, 2013 at 9:00 a.m.

Adopted.

**LATE SESSION****Third reading and final passage**

**HB 202-FN**, relative to beverage and liquor licenses for bed and breakfasts.

**HB 339-FN**, establishing a committee to study existing debt collection laws and practices.

**HB 505**, relative to the economic development advisory council.

**HB 594-FN**, relative to the general consumer credit laws of the state.

**HB 639**, relative to beverage container and packaging approval.

**HB 224**, relative to the authority of the superintendent of a county correctional facility.

**HB 644-FN**, relative to parole procedures and relative to sanctions for violations of probation.

**HB 481-FN**, limiting the state's authority to seek reimbursement for public assistance.

**HB 633**, relative to prescription refills.

**HB 591**, relative to an abusive work environment and the health and safety of public employees.

**HB 635**, establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas.

**HB 349**, relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.

**HB 416**, shortening the appeals process for a permitting decision under RSA 482-A, relative to fill and dredge in wetlands.

**HB 510**, relative to backflow prevention valves.

**HB 574**, increasing the size limitations for OHRVs operating on state-owned trails in Coos and Grafton counties.

**HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit.

**HB 305**, establishing a committee to study the apportionment formula for cooperative school districts for towns with electric generation facilities.

**HB 630-FN**, relative to the use of proceeds from the regional greenhouse gas initiative program.

**HB 242**, relative to child passenger restraint requirements.

**HB 659-FN-A**, increasing the tobacco tax.

**HB 573-FN**, relative to the use of cannabis for therapeutic purposes.

**HB 648-FN**, permitting current marital masters to remain in office until retirement, resignation, disability, or nonrenewal of appointment.

**HB 357**, prohibiting an employer from using credit history in employment decisions.

**HB 477-FN**, relative to differential pay for certain state employees providing direct care to inmates and patients.

**HB 647-FN**, relative to appeals from the compensation appeals board.

**HB 588**, extending the instream flow pilot program for 2 years.

**HB 306**, relative to New Hampshire's regional greenhouse gas initiative.

**HB 508**, relative to idling by diesel locomotives.

**HB 542**, relative to electric renewable portfolio standards.

**HCR 2**, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Adopted.

The House recessed at 5:35 p.m.

### RECESS

### (Speaker Norelli in the Chair)

Rep. Kaen moved that the House adjourn.  
Adopted.

## HOUSE JOURNAL No. 12

Thursday, March 21, 2013

The House assembled at 9:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

Go now to your work in a spirit of peace. Be of good courage. Hold fast to that which will serve the greater good. Render no fellow Representative evil for evil. Strengthen the fainthearted. Support the weak. Comfort the afflicted. Collaborate. Though your thoughts be on the technical details, do not lose sight of the loftier things or the grander schemes. When tempted to preach from the party line, teach instead from the heart. Honor one another in words and in deeds as the children of God that each of you are. And, when this Session has ended, may you be able to look at one another in the eye and say, "We were not alone in our work today; God also has been in this place." Amen.

Representative Leigh Webb, member from Franklin, led the Pledge of Allegiance.

The National Anthem was sung by Michael Hayes of Pittsfield, a Doorkeeper for the New Hampshire House of Representatives.

### LEAVES OF ABSENCE

Reps. Bishop, Flanders, Massimilla and Amy Perkins, the day, illness.

Reps. Azarian, Bailey, Beaudoin, Booras, Burdwood, Burtis, Crawford, DeSimone, Richard Eaton, Fink, Friel, Hess, Hinch, Hoell, Holmes, Jane Hunt, Kolodziej, Marston, McMahon, Mullen, Myler, William O'Brien, O'Hearne, Oligny, Peckham, Reed, Rokas, Sapareto, Sweeney, Tucker and Vail, the day, important business.

Reps. Hayes, Gary Hopper, Timothy Soucy and Ulery, the day, illness in the family.

### INTRODUCTION OF GUESTS

Jake Jasinski and Kenneth Weitzman, students at Lebanon High School, Pages for the day.

### REGULAR CALENDAR - PART II (CONT'D FROM 3-20-13)

**HCR 3**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire. **WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass:** Rep. Lars Christiansen.

The only jurisdiction the federal government has is in interstate commerce. Any dealing with the Fed is in equity law to receive federal funds which binds you to the contract, and the federal auditors enforce the contract.

**Statement in support of Inexpedient to Legislate:** Rep. Cynthia Sweeney.

This legislation blurs the lines between state and federal authority. As such it brings into question what State rights are with regard to Federal legislation. It is well documented, in the U.S. Constitution, the rights of the individual states and that of the federal government without pushing boundaries. For these reasons a substantial number of the committee wishes to render this bill Inexpedient to Legislate (ITL).

Rep. Baldasaro moved Ought to Pass.

Rep. Itse spoke in favor.

Rep. Timothy Smith spoke against.

### LAIID ON THE TABLE

Rep. Vaillancourt moved that **HCR 3**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire, be laid on the table.

On a division vote, 215 members having voted in the affirmative and 91 in the negative, the motion was adopted.



**REGULAR CALENDAR - PART II (CONT'D)**

**HB 665-FN-A-L**, relative to video lottery and table gaming. **INEXPEDIENT TO LEGISLATE.** Rep. Patricia T. Lovejoy for Ways and Means: This bill contains a number of significant defects. First, the bill would allow two casinos in consideration for a flat licensing fee fixed at the very low, arbitrary amount of \$10M each for a video slot license and \$10M for a table game license. In Massachusetts, which is targeting substantially the same market, the minimum bid must be at least \$85M. There is no competitive bid process as in many other states. This bill specifies where these two casinos must be located, "one in the White Mountains and one in a county bordering Massachusetts." The bill does not define which towns would be included in the definition of "white mountain." The prime sponsor did circulate a map showing the towns he thought should be included. The bill does not specify how many video slot machines and gambling table games are permitted, nor does it require a minimum number of each. The bill does set the state's take at a reasonable competitive rate of 49 percent of net machine income. Although the bill talks in terms of "destination casinos," it requires a minimum capital investment of only \$10M per casino – barely enough to construct or renovate a so-called "slots barn." Timelines in the bill are unreasonable – only 60 days for the Attorney General to conduct all background checks. The Lottery Commission has to issue the licenses for the casinos within 180 days after the application deadline whether or not it has adopted either final or interim rules. There is no specific provision for either regulation of, or law enforcement involvement in, the casino operations – only generic statements to the effect that the lottery commission shall adopt rules relative to "establishing standards." The committee believes the NH House will have further opportunity to discuss and debate the possibility of casinos in New Hampshire later in this session. The minority on the committee was not in favor of ought to pass but wanted to retain the bill. Vote 12-6.

Rep. Weyler spoke against.

Rep. Lovejoy spoke in favor.

Rep. Gionet spoke against, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 249 NAYS 65****YEAS 249****BELKNAP**

Arsenault, Beth	Burchell, Richard	Comtois, Guy	Cormier, Jane
DiMartino, Lisa	Greemore, Robert Jr	Gulick, Ruth	Huot, David
Raymond, Ian	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			

**CARROLL**

Butler, Edward	Chandler, Gene	Cordelli, Glenn	Lavender, Tom
Nelson, Bill	Ticehurst, Susan	Wright, Donald	

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Chase, Cynthia
Eaton, Daniel	Emerson, Susan	Hunt, John	Lerandeau, Alfred
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Roberts, Kris	Robertson, Timothy	Sad, Tara	Shepardson, Marjorie
Tatro, Bruce	Weber, Lucy	Weed, Charles	Young, Harry

**COOS**

Enman, Larry	Hammon, Marcia	Moynihan, Wayne	Rappaport, Laurence
Rideout, Leon	Theberge, Robert		

**GRAFTON**

Almy, Susan	Benn, Bernard	Bradley, Lester	Brown, Rebecca
Cooney, Mary	Doolan, Ralph Jr	Ford, Susan	Friedrich, Carol
Harding, Laurie	Higgins, Patricia	Lauer, Linda	Lovett, Sid
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Cebrowski, John  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Hikel, John  
LeBrun, Donald  
MacKay, Mariellen  
Murphy, Keith  
O'Brien, Michael Sr  
Porter, Marjorie  
Sanborn, Laurie  
Smith, Timothy  
Sullivan, Peter  
Villeneuve, Moe  
Williams, Kermit

Barry, Richard  
Byron, Frank  
Chandlee, Shannon  
Daniels, Gary  
Gagne, Larry  
Grady, Brenda  
Hansberry, Daniel  
Jack, Martin  
Leishman, Peter  
McCloskey, David  
Murphy, Kelleigh  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Spratt, Stephen  
Sweeney, Shawn  
Warden, Mark  
Woodbury, David

Boehm, Ralph  
Campbell, David  
Coffey, James  
Danielson, David  
Gale, Sylvia  
Graham, John  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
McNamara, Richard  
Nelson, Mary  
Parison, James  
Renzullo, Andrew  
Schmidt, Janice  
Straight, Philip  
Takesian, Charlene  
Willette, Robert

Boisvert, Ronald  
Carroll, Douglas  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Meaney, Richard  
Notter, Jeanine  
Peterson, Lenette  
Rowe, Robert  
Shattuck, Gilman  
Stroud, Kathleen  
Vaillancourt, Steve  
Williams, Carol

**MERRIMACK**

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kidder, David  
McGuire, Dan  
Richardson, Gary  
Smith, Todd  
Watrous, Rick

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Moffett, Howard  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Walsh, Thomas IV

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
McGuire, Carol  
Rice, Chip  
Shurtleff, Stephen  
Walz, Mary Beth

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael  
Copeland, Timothy  
Dumaine, Dudley  
Flockhart, Eileen  
Hagan, Joseph  
Hodgdon, Bruce  
Lovejoy, Patricia  
Milz, David  
Sanders, Elisabeth  
Till, Mary

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Emerick, J. Tracy  
Garcia, Bianca  
Harris, Jeffrey  
Hoelzel, Kathleen  
Lundgren, David  
Moody, Marcia  
Schlachman, Donna  
Ward, Gerald

Bick, Patrick  
Chirichiello, Brian  
Danais, Romeo  
Emerson-Brown, Rebecca  
Garcia, Marilinda  
Heffron, Frank  
Itse, Daniel  
Major, Norman  
Muns, Chris  
Sherman, Thomas  
Wazlaw, Brian

Birdsell, Regina  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Helmstetter, Barbara  
Kappler, Lawrence  
McKinney, Betsy  
Pantelakos, Laura  
Tamburello, Daniel  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Burke, Rachel  
Gray, James  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Berube, Roger  
Gardner, Janice  
Groen, Warren  
Jones, Laura  
Parsons, Robbie  
Rollo, Deanna  
Spang, Judith

Bickford, David  
Ginsburg, Philip  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Hooper, Dorothea  
Malloy, Dennis  
Pitre, Joseph  
Smith, Marjorie  
Verschueren, James

**SULLIVAN**

Gottling, Suzanne  
Tanner, Linda

Lefebvre, Benjamin

Rollins, Skip

Schmidt, Andrew

**NAYS 65  
BELKNAP**

Fields, Dennis

**CARROLL**

Buco, Thomas  
Umberger, Karen

McConkey, Mark  
White, Syndi

Merrow, Harry

Schmidt, Stephen

**CHESHIRE**

Butynski, William

Johnsen, Gladys

**COOS**

Coulombe, Gary

Richardson, Herbert

Thomas, Yvonne

**GRAFTON**

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Beaulieu, Jane  
Gidge, Kenneth  
Infantine, William  
McCarthy, Michael  
Pellegrino, Tony  
Winters, Joel

Belanger, James  
Gorman, Mary  
Kurk, Neal  
Murotake, David  
Shaw, Barbara

Burt, John  
Haefner, Robert  
Long, Patrick  
O'Flaherty, Tim  
Sullivan, Daniel

Flanagan, Jack  
Harriott-Gathright, Linda  
Manley, Jonathan Sr  
Ober, Russell III  
Walsh, Robert Jr

**MERRIMACK**

Kotowski, Frank

Ratzki, Mario

Rogers, Katherine

Tilton, Joy

**ROCKINGHAM**

Allen, Mary  
Devine, James  
Mann, Maureen  
St.James, Kevin  
Webb, James Sr

Baldasaro, Alfred  
Elliott, Robert  
O'Connor, John  
Thompson, David  
Weyler, Kenneth

Belanger, Ronald  
Ferrante, Beverly  
Priestley, Anne  
Tremblay, Stella

Charron, Gene  
Griffin, Mary  
Sedensky, John  
Waterhouse, Kevin

**STRAFFORD**

Horrigan, Timothy

Miller, David

**SULLIVAN**

Cloutier, John  
Smith, Steven

Gagnon, Raymond  
Sweeney, Cynthia

Grenier, James

Irwin, Virginia

and the committee report was adopted.

Reps. Kurk and Burt voted Nay and intended to vote Yea.

Rep. Jane Johnson did not vote and notified the Clerk that she wished to be recorded in favor.

**HB 678-FN-A-L**, relative to games of chance and establishing a gaming oversight authority and video lottery gaming. **INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T. Lovejoy for Ways and Means: This bill provides for six video slot parlors, limited to no more than one in any county, thereby spreading video slots gaming throughout the state. Four of these facilities shall have 600 video lottery machines and two facilities with 1300 video lottery machines. The State of NH will be the gaming operator. There would be licensees who would provide the space and receive 19 percent of the net machine income as a gross lease payment. These licensees would pay an application fee of \$150,000 upon approval of the license. The licensee could offer charity gaming next door to provide a full casino experience. The committee was concerned about the spread of video slots statewide. The NH House will have additional opportunity to consider a casino later in this session. The minority of the committee was interested in retaining this bill for further study. Vote 12-6.

Rep. Vaillancourt spoke against and yielded to questions.

**LAID ON THE TABLE**

Rep. Kurk moved that **HB 678-FN-A-L**, relative to games of chance and establishing a gaming oversight authority and video lottery gaming, be laid on the table. On a division vote, 170 members having voted in the affirmative and 160 in the negative, the motion was adopted.

**REGULAR CALENDAR - PART II (CONT'D)**

**HB 536**, revising the child support guidelines based on foster care reimbursement rates. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Deanna S. Rollo for the Majority of Children and Family Law: This bill provides that the total child support obligation shall be no greater than the applicable foster care rate. Foster care rates do not reflect the actual cost of raising a child because the foster home is already intact. This bill fails to address the varying ability of parents to support their children. It is contrary to the best interest of the child. Vote 14-4.

Rep. Daniel C. Itse for the Minority of Children and Family Law: The minority believes that understanding the effects of the new child support guidelines to take effect on July 1, 2013 combined with the federally mandated fourth year review of our child support guidelines in 2013 justify retaining this bill for the purpose of organizing an effective and timely review by the legislature. Majority committee report adopted.

**HB 538**, relative to the calculation of child support based on residential responsibility. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kelleigh D. Murphy for the Majority of Children and Family Law: This bill would have prohibited the court from ordering a parent with primary residential responsibility to pay child support to the parent who does not have primary residential responsibility. The majority of the committee was concerned that this bill failed to account for situations where a parent with primary residential responsibility was designated even though both parents had nearly equal parenting time with the children, but where there was a large income disparity between the parties. Vote 14-4.

Rep. Robert L. Nigrello for the Minority of Children and Family Law: The minority believes judges, in setting child support, need to insure the support is appropriate for the parenting plan agreed to by the parents or so ordered by the court. Approval of the bill eliminates child support for a parent without primary residential responsibility. Not ordering support for the parent without primary residential responsibility allows the parent with primary residential responsibility additional funds to insure adequate care for the child. Majority committee report adopted.

**HB 578**, relative to the determination of parental rights based on the best interest of the child. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Mary Beth E. Walz for the Majority of Children and Family Law: This bill would significantly change the standard used in determining parental rights and responsibilities for children. "Best interests of the child" is a nationally-accepted standard for determining a family's future. It ensures that the courts determine what is best for the child rather than base it's determination on the desire of the parents. The bill would effectively eliminate many factors used by the courts to determining parenting time with a child. Gone would be a consideration of the child's relationship with each parent, each parent's ability to provide for and care for the child, and whether contact between the parent and child is likely to harm the child. This bill also fails to incorporate domestic violence considerations into its vision of a "best interest" analyses. There is a long-time national and state-wide consensus that the current "best interests" language is the best standard to be used in determining a child's time with each parent. Testimony suggested that abandoning this language could have disastrous consequences. Vote 12-4.

Rep. Jeffrey D. Oligny for the Minority of Children and Family Law: The bill removes the subjective language which allows the family court to remove children's fit parents from their lives in matters of child custody or divorce. Current law (RSA 46-1-A:6) allows the court to consider "any other additional factors the court deems relevant" in deciding whether or not to remove fit parents from children's lives. Other adequate statutes exist to protect children from bona-fide cases of real abuse or neglect. Removing children's fit and loving parents from their lives is not good public policy and costs the state to provide parenting that is inferior to their actual parent.

**MOTION TO LAY ON THE TABLE**

Rep. Lambert moved that **HB 578**, relative to the determination of parental rights based on the best interest of the child, be laid on the table.

Rep. Lambert requested a roll call; sufficiently seconded.

**YEAS 101 NAYS 230**

**YEAS 101**

**BELKNAP**

Burchell, Richard  
Greemore, Robert Jr  
Worsman, Colette

Comtois, Guy  
Luther, Robert

Cormier, Jane  
Sylvia, Michael

Fields, Dennis  
Vadney, Herbert

**CARROLL**

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
Wright, Donald

Lavender, Tom

Nelson, Bill

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Enman, Larry

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Gionet, Edmond

**HILLSBOROUGH**

Boehm, Ralph  
Daniels, Gary  
Hansen, Peter  
Martel, Andre  
Murphy, Keith  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Warden, Mark

Burt, John  
Flanagan, Jack  
Hikel, John  
McCarthy, Michael  
Murphy, Kelleigh  
Palmer, Stephen  
Renzullo, Andrew  
Straight, Philip  
Willette, Robert

Byron, Frank  
Graham, John  
Infantine, William  
Meaney, Richard  
Notter, Jeanine  
Parison, James  
Rowe, Robert  
Stroud, Kathleen

Coffey, James  
Haefner, Robert  
Lambert, George  
Murotake, David  
O'Flaherty, Tim  
Peterson, Lenette  
Sanborn, Laurie  
Villeneuve, Moe

**MERRIMACK**

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Danais, Romeo  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Major, Norman  
Schroadter, Adam  
Tasker, Kyle  
Webb, James Sr

Allen, Mary  
Charron, Gene  
Devine, James  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
O'Connor, John  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Belanger, Ronald  
Chirichiello, Brian  
Duarte, Joe  
Garcia, Bianca  
Griffin, Mary  
Itse, Daniel  
Priestley, Anne  
Sytek, John  
Tremblay, Stella

Bick, Patrick  
Comerford, Timothy  
Elliott, Robert  
Garcia, Marilinda  
Hagan, Joseph  
Kappler, Lawrence  
Sanders, Elisabeth  
Tamburello, Daniel  
Waterhouse, Kevin

**STRAFFORD**

Bickford, David  
Pitre, Joseph

Groen, Warren

Horrigan, Timothy

Parsons, Robbie

**SULLIVAN**

Rollins, Skip

## NAYS 230 BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa  
Tilton, Franklin

Gulick, Ruth

Huot, David

## CARROLL

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
Umberger, Karen

McConkey, Mark  
White, Syndi

Morrow, Harry

## CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

## COOS

Coulombe, Gary  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

## GRAFTON

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Piper, Wendy  
Sykes, George

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Smith, Suzanne

## HILLSBOROUGH

Backus, Robert  
Boisvert, Ronald  
Cebrowski, John  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jasper, Shawn  
Kurk, Neal  
LeVasseur, Richard  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Schmidt, Janice  
Spratt, Stephen  
Takesian, Charlene  
Williams, Kermit

Barry, Richard  
Brown, Pamela  
Chandlee, Shannon  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeudy, Jean  
LeBrun, Donald  
Levesque, Melanie  
McCloskey, David  
Pellegrino, Tony  
Shattuck, Gilman  
Sullivan, Daniel  
Vaillancourt, Steve  
Winters, Joel

Beaulieu, Jane  
Campbell, David  
Connor, Evelyn  
Gage, Ruth  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Leishman, Peter  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Peter  
Walsh, Robert Jr  
Woodbury, David

Belanger, James  
Carroll, Douglas  
Cote, David  
Gagne, Larry  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Kopka, Angeline  
Levasseur, Nickolas  
MacKay, Mariellen  
Nelson, Mary  
Rosenwald, Cindy  
Smith, Timothy  
Sweeney, Shawn  
Williams, Carol

## MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Lockwood, Priscilla  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Watrous, Rick

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Baldasaro, Alfred	Borden, David	Cahill, Michael
Cali-Pitts, Jacqueline	Copeland, Timothy	Cushing, Robert Jr	Emerick, J. Tracy
Emerson-Brown, Rebecca	Flockhart, Eileen	Heffron, Frank	Helmstetter, Barbara
Hoelzel, Kathleen	Khan, Aboul	Lovejoy, Patricia	Lundgren, David
Mann, Maureen	McKinney, Betsy	Miltz, David	Moody, Marcia
Muns, Chris	Nigrello, Robert	Pantelakos, Laura	Perkins, Lawrence
Schlachman, Donna	Sherman, Thomas	St.James, Kevin	Till, Mary
Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa	

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burke, Rachel
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Gray, James
Grossman, Kenneth	Hooper, Dorothea	Hubbard, Pamela	Jones, Laura
Kaen, Naida	Malloy, Dennis	Menear, H. Robert III	Miller, David
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Spainhower, Dale	Spang, Judith	Stevens, Audrey
Verschueren, James	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Lefebvre, Benjamin	Schmidt, Andrew	Smith, Steven
Sweeney, Cynthia	Tanner, Linda		

and the motion failed.

The question now being adoption of the majority committee report of Inexpedient to Legislate. Rep. Tremblay requested a roll call; sufficiently seconded.

**YEAS 251 NAYS 81****YEAS 251****BELKNAP**

Arsenault, Beth	DiMartino, Lisa	Fields, Dennis	Gulick, Ruth
Huot, David	Luther, Robert	Raymond, Ian	Tilton, Franklin

**CARROLL**

Buco, Thomas	Butler, Edward	Lavender, Tom	McConkey, Mark
Merrow, Harry	Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	White, Syndi	Wright, Donald	

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Lerandeau, Alfred	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	Weed, Charles
Young, Harry			

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihn, Wayne	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Thomas, Yvonne			

**GRAFTON**

Almy, Susan	Benn, Bernard	Brown, Rebecca	Cooney, Mary
Doolan, Ralph Jr	Ford, Susan	Friedrich, Carol	Harding, Laurie
Higgins, Patricia	Ladd, Rick Jr	Lauer, Linda	Lovett, Sid
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Belanger, James
Boisvert, Ronald	Brown, Pamela	Campbell, David	Carroll, Douglas
Chandley, Shannon	Connor, Evelyn	Cote, David	Danielson, David
DiSilvestro, Linda	Gage, Ruth	Gale, Sylvia	Gargas, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Grady, Brenda
Graham, John	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin	Jasper, Shawn
Jeudy, Jean	Knowles, Mary Ann	Kopka, Angeline	Kurk, Neal
Leishman, Peter	Levasseur, Nickolas	LeVasseur, Richard	Levesque, Melanie
Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr	Martel, Andre
McCloskey, David	McNamara, Richard	Meaney, Richard	Murphy, Keith
Murphy, Kelleigh	Nelson, Mary	O'Brien, Michael Sr	O'Flaherty, Tim
Peterson, Lenette	Porter, Marjorie	Pratt, Calvin	Rosenwald, Cindy
Rowe, Robert	Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Spratt, Stephen	Straight, Philip	Sullivan, Daniel
Sullivan, Peter	Takesian, Charlene	Vaillancourt, Steve	Walsh, Robert Jr
Williams, Carol	Williams, Kermit	Winters, Joel	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Burns, Scott
Carey, Lorrie	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	Frazer, June	French, Barbara	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Karrick, David Jr	Kelly, Sally
Kidder, David	Kotowski, Frank	Lockwood, Priscilla	MacKay, James
Moffett, Howard	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan	Wallner, Mary Jane
Walsh, Thomas IV	Walz, Mary Beth	Watrous, Rick	Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Andrews-Ahearn, E. Elaine	Borden, David
Cahill, Michael	Cali-Pitts, Jacqueline	Charron, Gene	Copeland, Timothy
Cushing, Robert Jr	Danais, Romeo	Duarte, Joe	Emerick, J. Tracy
Emerson-Brown, Rebecca	Flockhart, Eileen	Grace, Curtis	Griffin, Mary
Heffron, Frank	Helmstetter, Barbara	Hodgdon, Bruce	Hoelzel, Kathleen
Khan, Aboul	Lovejoy, Patricia	Mann, Maureen	McKinney, Betsy
Milz, David	Moody, Marcia	Muns, Chris	Nigrello, Robert
O'Connor, John	Pantelakos, Laura	Priestley, Anne	Schlachman, Donna
Sherman, Thomas	St.James, Kevin	Sytek, John	Tasker, Kyle
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burke, Rachel
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Gray, James
Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela
Jones, Laura	Kaen, Naida	Malloy, Dennis	Menear, H. Robert III
Miller, David	Perry, Robert	Pitre, Joseph	Rogers, Rose Marie
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spainhower, Dale
Spang, Judith	Stevens, Audrey	Verschueren, James	Wall, Janet
Ward, Kenneth			

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gotting, Suzanne	Grenier, James
Lefebvre, Benjamin	Rollins, Skip	Schmidt, Andrew	Sweeney, Cynthia
Tanner, Linda			



**NAYS 81  
BELKNAP**

Burchell, Richard  
Sylvia, Michael

Comtois, Guy  
Vadney, Herbert

Cormier, Jane  
Worsman, Colette

Greemore, Robert Jr

**CARROLL**

Chandler, Gene

Cordelli, Glenn

**CHESHIRE**

Johnson, Jane

**COOS**

Rappaport, Laurence

**GRAFTON**

Bradley, Lester

Gionet, Edmond

Reilly, Harold Sr

Shackett, Jeffrey

**HILLSBOROUGH**

Boehm, Ralph  
Coffey, James  
Haefner, Robert  
Lambert, George  
Nottter, Jeanine  
Pellegrino, Tony  
Stroud, Kathleen  
Willette, Robert

Burt, John  
Daniels, Gary  
Hansen, Peter  
LeBrun, Donald  
Ober, Russell III  
Renzullo, Andrew  
Sweeney, Shawn

Byron, Frank  
Flanagan, Jack  
Hikel, John  
McCarthy, Michael  
Palmer, Stephen  
Sanborn, Laurie  
Villeneuve, Moe

Cebrowski, John  
Gagne, Larry  
Infantine, William  
Murotake, David  
Parison, James  
Sandblade, Emily  
Warden, Mark

**MERRIMACK**

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Baldasaro, Alfred  
Chirichiello, Brian  
Elliott, Robert  
Garcia, Marilinda  
Itse, Daniel  
Perkins, Lawrence  
Tamburello, Daniel  
Webb, James Sr

Belanger, Ronald  
Comerford, Timothy  
Ferrante, Beverly  
Gordon, Richard  
Kappler, Lawrence  
Sanders, Elisabeth  
Thompson, David  
Weyler, Kenneth

Bick, Patrick  
Devine, James  
Fesh, Robert  
Hagan, Joseph  
Lundgren, David  
Schroadter, Adam  
Tremblay, Stella

Birdsell, Regina  
Dumaine, Dudley  
Garcia, Bianca  
Harris, Jeffrey  
Major, Norman  
Sedensky, John  
Waterhouse, Kevin

**STRAFFORD**

Bickford, David

Groen, Warren

Parsons, Robbie

**SULLIVAN**

Irwin, Virginia

Smith, Steven

and the majority committee report was adopted.

**HB 346**, establishing a committee to study low-profit limited liability companies. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura M. Jones for Commerce and Consumer Affairs: This bill establishes a study committee to determine the desirability of allowing companies with charitable or educational purposes to register and designate themselves as low-profit limited liability companies. Many believe that this designation is needed because it allows these companies more choice when it comes to financing, and traditional options are not currently meeting their needs. In addition, the bill's prime sponsor testified that the low-profit limited liability company designation, also known as L3C, could provide a tool for communities to use for economic development. Since 2008, nine states have adopted laws allowing this designation, and seven others have introduced legislation this year to permit the formation of

low-profit limited liability companies. The majority believes this is an option we should study, and the amendment merely changes the composition of the members of the study committee to four members of the House of Representatives and one member of the Senate. Vote 14-4.

#### **Amendment (0722h)**

Amend paragraph I of section 2 of the bill by replacing it with the following:

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

Amend the bill by replacing section 4 with the following:

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

Amendment adopted.

Committee report adopted and ordered to third reading.

#### **HB 390, allowing companion dogs in the outdoor areas of restaurants. OUGHT TO PASS WITH AMENDMENT.**

Rep. Donna L. Schlachman for Commerce and Consumer Affairs: Most state laws are mute on the subject of dogs in outdoor restaurant areas. Currently, some New Hampshire restaurant owners do allow dogs on their patios, and the local code enforcement people choose to turn a blind eye. As amended, this bill enables restaurant owners with outdoor patios to allow a disciplined and leashed companion dog to accompany its owner. There was great concern on the part of committee members that the safety and rights of individuals using service animals not be put at risk just for the sake of people who like to travel with their pets. In an effort to place the rights of service animal users over the convenience of companion animal owners, the bill requires that a sign be prominently displayed at all entrances to an outdoor patio stating that "to preserve the rights of patrons with service animals, patrons with companion dogs shall be asked to move if the presence of that companion dog interferes with the service animals ability to obey commands or assist its handler." Vote 15-3.

#### **Amendment (0729h)**

Amend RSA 466:44, III as inserted by section 1 of the bill by replacing it with the following:

III. A restaurant owner may allow properly disciplined and leashed companion dogs of restaurant patrons onto any outdoor patio areas owned by the restaurant. Such dogs shall not be allowed in food preparation or production areas, and there shall be no more than one dog per patron. The restaurant owner shall prominently display a sign at all outdoor patio entrances advising patrons as follows: "To preserve the rights of patrons with service animals, patrons with companion dogs shall be asked to move if the presence of that companion dog interferes with the service animal's ability to obey commands or assist its handler."

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Jones requested a roll call; sufficiently seconded.

#### **YEAS 307 NAYS 25**

#### **YEAS 307**

#### **BELKNAP**

Arsenault, Beth  
DiMartino, Lisa  
Huot, David  
Tilton, Franklin

Burchell, Richard  
Fields, Dennis  
Luther, Robert  
Vadney, Herbert

Comtois, Guy  
Greemore, Robert Jr  
Raymond, Ian

Cormier, Jane  
Gulick, Ruth  
Sylvia, Michael

#### **CARROLL**

Buco, Thomas  
Lavender, Tom  
Schmidt, Stephen  
Wright, Donald

Butler, Edward  
McConkey, Mark  
Ticehurst, Susan

Chandler, Gene  
Merrow, Harry  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill  
White, Syndi

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Johnson, Jane  
Phillips, Larry  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Lerandeau, Alfred  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Hunt, John  
Mann, John  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

**COOS**

Coulombe, Gary  
Moynihan, Wayne  
Thomas, Yvonne

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Rideout, Leon

**GRAFTON**

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Piper, Wendy  
Sykes, George

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Brown, Rebecca  
Gionet, Edmond  
Lauer, Linda  
Pastor, Beatriz  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Byron, Frank  
Coffey, James  
Danielson, David  
Gale, Sylvia  
Graham, John  
Hansberry, Daniel  
Jack, Martin  
Lambert, George  
LeVasseur, Richard  
Martel, Andre  
Meaney, Richard  
Nelson, Mary  
Ober, Russell III  
Peterson, Lenette  
Rosenwald, Cindy  
Schmidt, Janice  
Spratt, Stephen  
Sweeney, Shawn  
Walsh, Robert Jr  
Williams, Kermit

Barry, Richard  
Boisvert, Ronald  
Campbell, David  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Hackel, Paul  
Harriott-Gathright, Linda  
Jack, Knowles, Mary Ann  
LeBrun, Donald  
Levesque, Melanie  
McCarthy, Michael  
Murotake, David  
Notter, Jeanine  
Palmer, Stephen  
Porter, Marjorie  
Rowe, Robert  
Shattuck, Gilman  
Straight, Philip  
Takesian, Charlene  
Warden, Mark  
Winters, Joel

Beaulieu, Jane  
Brown, Pamela  
Cebrowski, John  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Hikel, John  
Kopka, Angeline  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
Murphy, Keith  
O'Brien, Michael Sr  
Parison, James  
Pratt, Calvin  
Sanborn, Laurie  
Shaw, Barbara  
Stroud, Kathleen  
Vaillancourt, Steve  
Willette, Robert  
Woodbury, David

Belanger, James  
Burt, John  
Chandle, Shannon  
Daniels, Gary  
Gagne, Larry  
Grady, Brenda  
Hammond, Jill  
Infantine, William  
Kirk, Neal  
Levasseur, Nickolas  
MacKay, Mariellen  
McNamara, Richard  
Murphy, Kelleigh  
O'Flaherty, Tim  
Pellegrino, Tony  
Renzullo, Andrew  
Sandblade, Emily  
Smith, Timothy  
Sullivan, Daniel  
Villeneuve, Moe  
Williams, Carol

**MERRIMACK**

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kidder, David  
McGuire, Dan  
Rice, Chip  
Shurtleff, Stephen  
Wallner, Mary Jane

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
Moffett, Howard  
Richardson, Gary  
Smith, Todd  
Walz, Mary Beth

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
MacKay, James  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
McGuire, Carol  
Ratzki, Mario  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick  
Belanger, Ronald

Allen, Mary  
Bick, Patrick

Andrews-Ahearn, E. Elaine  
Birdsell, Regina

Baldasaro, Alfred  
Borden, David

Cahill, Michael  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Flockhart, Eileen  
Hagan, Joseph  
Hodgdon, Bruce  
Khan, Aboul  
Mann, Maureen  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Tasker, Kyle  
Ward, Gerald  
Whittemore, Lisa

Cali-Pitts, Jacqueline  
Copeland, Timothy  
Duarte, Joe  
Emerson-Brown, Rebecca  
Gordon, Richard  
Harris, Jeffrey  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Milz, David  
Pantelakos, Laura  
Sanders, Elisabeth  
Sherman, Thomas  
Thompson, David  
Waterhouse, Kevin

Charron, Gene  
Cushing, Robert Jr  
Dumaine, Dudley  
Ferrante, Beverly  
Grace, Curtis  
Heffron, Frank  
Itse, Daniel  
Lundgren, David  
Moody, Marcia  
Perkins, Lawrence  
Schlachman, Donna  
Sytek, John  
Till, Mary  
Webb, James Sr

Chirichiello, Brian  
Danaïs, Romeo  
Elliott, Robert  
Fesh, Robert  
Griffin, Mary  
Helmstetter, Barbara  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Schroadter, Adam  
Tamburello, Daniel  
Tremblay, Stella  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Hubbard, Pamela  
Menear, H. Robert III  
Pitre, Joseph  
Smith, Marjorie  
Verschueren, James

Berube, Roger  
Gardner, Janice  
Groen, Warren  
Jones, Laura  
Miller, David  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Bickford, David  
Ginsburg, Philip  
Grossman, Kenneth  
Kaen, Naida  
Parsons, Robbie  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Schmidt, Peter  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
Rollins, Skip

Grenier, James  
Smith, Steven

### NAYS 25 BELKNAP

Worsman, Colette

### CARROLL

None

### CHESHIRE

Berch, Paul

Ley, Douglas

### COOS

Theberge, Robert

### GRAFTON

Doolan, Ralph Jr

### HILLSBOROUGH

Carroll, Douglas  
Heden, Ruth  
Sullivan, Peter

Flanagan, Jack  
Jasper, Shawn

Gidge, Kenneth  
Judy, Jean

Gorman, Mary  
Manley, Jonathan Sr

### MERRIMACK

Lockwood, Priscilla

Schamberg, Thomas

Walsh, Thomas IV

### ROCKINGHAM

Garcia, Bianca  
St.James, Kevin

Garcia, Marilinda  
Wazlaw, Brian

McKinney, Betsy

Muns, Chris

**STRAFFORD**

Hooper, Dorothea

**SULLIVAN**

Schmidt, Andrew

and the committee report was adopted and ordered to third reading.

**HB 467**, relative to purchasing alliances. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Richard D. McNamara for the Majority of Commerce and Consumer Affairs: This bill wanted to reduce the number of enrollees currently permitted by a qualified purchasing alliance from 3000 to 250 enrollees. If this bill were to pass it would make the risk pool too small and lead to adverse selection. Also, in light of changes due to the implementation of the affordable Healthcare Act, this change would not be relevant. Vote 18-1.

Rep. Pamela Z. Tucker for the Minority of Commerce and Consumer Affairs: This bill allows groups such as businesses that are mid-to-large-size to obtain better value in purchasing health insurance by consolidating purchasing responsibilities and resources. Currently very large employers or groups can form a purchasing alliance that not only can shop around for better insurance values, but also lower the administrative cost of health plan contracting, enrollment, premium collection, and payment. Because this bill doesn't require that a group be very large to begin with, it enables far more employers to enter into purchasing alliances that will level the insurance cost playing field for them and their employees. This will often result in lower overall insurance costs for many employees.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 224 NAYS 107****YEAS 224  
BELKNAP**

Arsenault, Beth  
Luther, Robert

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis  
Tilton, Franklin

Huot, David

**CARROLL**

Buco, Thomas  
Morrow, Harry

Butler, Edward  
Schmidt, Stephen

Chandler, Gene  
Ticehurst, Susan

Lavender, Tom  
White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Johnson, Jane  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Hunt, John  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

**GRAFTON**

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Nordgren, Sharon  
Sykes, George

Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela

Beaulieu, Jane  
Campbell, David

Belanger, James  
Carroll, Douglas

Boisvert, Ronald  
Chandlee, Shannon

Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
Levesque, Melanie  
McCloskey, David  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Carol

Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
Long, Patrick  
McNamara, Richard  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Danielson, David  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Jasper, Shawn  
Levasseur, Nickolas  
MacKay, Mariellen  
Nelson, Mary  
Schmidt, Janice  
Spratt, Stephen  
Takesian, Charlene  
Winters, Joel

DiSilvestro, Linda  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Shattuck, Gilman  
Stroud, Kathleen  
Walsh, Robert Jr  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frazer, June  
Karrick, David Jr  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

Andrews, Christopher  
Carson, Clyde  
French, Barbara  
Kelly, Sally  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Wallner, Mary Jane

Bartlett, Christy  
Davis, Frank  
Henle, Paul  
Kidder, David  
Patten, Dick  
Rogers, Katherine  
Smith, Todd  
Walz, Mary Beth

Burns, Scott  
Frambach, Mary  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Ratzki, Mario  
Schamberg, Thomas  
Tilton, Joy  
Watrous, Rick

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Copeland, Timothy  
Flockhart, Eileen  
Helmstetter, Barbara  
Mann, Maureen  
Pantelakos, Laura  
Sherman, Thomas  
Waterhouse, Kevin

Allen, Mary  
Cahill, Michael  
Cushing, Robert Jr  
Grace, Curtis  
Hoelzel, Kathleen  
Moody, Marcia  
Priestley, Anne  
Sytek, John  
Wazlaw, Brian

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Devine, James  
Griffin, Mary  
Lovejoy, Patricia  
Muns, Chris  
Sanders, Elisabeth  
Till, Mary  
Whittemore, Lisa

Belanger, Ronald  
Charron, Gene  
Emerson-Brown, Rebecca  
Heffron, Frank  
Major, Norman  
Nigrello, Robert  
Schlachman, Donna  
Ward, Gerald

### STRAFFORD

Baber, William  
Gardner, Janice  
Horrigan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
Ginsburg, Philip  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Burke, Rachel  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

### NAYS 107

#### BELKNAP

Burchell, Richard  
Sylvia, Michael

Comtois, Guy  
Vadney, Herbert

Cormier, Jane  
Worsman, Colette

Greemore, Robert Jr

#### CARROLL

Cordelli, Glenn  
Wright, Donald

McConkey, Mark

Nelson, Bill

Umberger, Karen

**CHESHIRE**

None

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Gionet, Edmond	Reilly, Harold Sr	Shackett, Jeffrey
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**HILLSBOROUGH**

Barry, Richard	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Coffey, James	Daniels, Gary	Flanagan, Jack
Gagne, Larry	Haefner, Robert	Hikel, John	Infantine, William
Judy, Jean	Kurk, Neal	Lambert, George	LeBrun, Donald
Martel, Andre	McCarthy, Michael	Meaney, Richard	Murotake, David
Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine	O'Flaherty, Tim
Ober, Russell III	Palmer, Stephen	Parison, James	Pellegrino, Tony
Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew	Rowe, Robert
Sanborn, Laurie	Sandblade, Emily	Straight, Philip	Sweeney, Shawn
Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark	Willette, Robert

**MERRIMACK**

Ebel, Karen	Kotowski, Frank	McGuire, Carol	McGuire, Dan
Walsh, Thomas IV			

**ROCKINGHAM**

Baldasaro, Alfred	Bick, Patrick	Birdsell, Regina	Chirichiello, Brian
Comerford, Timothy	Danais, Romeo	Duarte, Joe	Dumaine, Dudley
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Garcia, Bianca	Garcia, Marilinda	Gordon, Richard	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Itse, Daniel	Kappler, Lawrence
Khan, Aboul	Lundgren, David	McKinney, Betsy	Milz, David
O'Connor, John	Perkins, Lawrence	Rice, Frederick	Schroadter, Adam
Sedensky, John	St.James, Kevin	Tamburello, Daniel	Tasker, Kyle
Thompson, David	Tremblay, Stella	Webb, James Sr	Weyler, Kenneth

**STRAFFORD**

Bickford, David	Gray, James	Groen, Warren	Jones, Laura
Parsons, Robbie	Pitre, Joseph		

**SULLIVAN**

Rollins, Skip	Smith, Steven
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and the majority committee report was adopted.

**HB 468, establishing a committee to study wine purchasing and pricing. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Kenneth N. Gidge for the Majority of Commerce and Consumer Affairs: The sole duty of the study committee "is to include an evaluation of whether the requirement in RSA 176:17 that the liquor commission purchase from manufacturers should be modified to allow wine purchases through brokers." The committee felt that since brokers represent the liquor manufactures and vineyards by contract, there is no need to modify RSA 176:17. The brokers are contracted by the liquor manufactures and vineyards for the purpose of distributing, marketing and delivering the liquor and wine to our warehouse. In some cases, the commission is able to make special buys separately with liquor manufactures and by pass the brokers, but that is usually only for special large purchases and with an agreement between the liquor manufacture and their broker. Since legislators really have no way to evaluate the contractual relationship the brokers have with the liquor manufactures and the vineyards, this study is not appropriate. Vote 16-2.

Rep. Emily C. Sandblade for the Minority of Commerce and Consumer Affairs: The minority believes a study committee is necessary because RSA 176:17 states "the liquor commission shall purchase all liquor, wine, and beverages from primary sources." Testimony in the committee stated that the vast majority of our wine is purchased through brokers, not directly from primary sources. The liquor commission felt using brokers was a cost saver; however, a study committee would confirm this statement and assure if this relationship with brokers provides the best pricing both to the state and ultimately to the consumers.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, 211 members having voted in the affirmative and 121 in the negative, the majority committee report was adopted.

**HB 530-FN**, relative to annual reporting requirements for business entities. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Ruth S. Heden for the Majority of Commerce and Consumer Affairs: This bill changes the timing for business reporting of financial fiscal information to the secretary of state from annual reporting to every 3 years. The department of state indicated that this bill would decrease its annual returns by 2/3 and would increase customer service calls due to longer intervals. This bill would result in the underfunding of the corporate division by \$1 million and would decrease the state general fund by \$4 million. Vote 15-3.

Rep. Emily C. Sandblade for the Minority of Commerce and Consumer Affairs: This bill reduces the frequency that corporations, LLCs, and consumer co-ops must make a report to the secretary of state. The committee heard some testimony that, in a small number of cases, the primary benefit of reporting is to report a new address if there is one. State law already requires that these entities report a change of address within 60 days, so the extra report just costs everybody more money, and requires thousands of hours of personnel time in the secretary of state's office to process them each year. This bill would cut the state processing time by two-thirds and release those funds for more urgent needs.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Jones requested a roll call; sufficiently seconded.

## YEAS 220 NAYS 107

### YEAS 220 BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Luther, Robert

Fields, Dennis  
Raymond, Ian

Gulick, Ruth  
Tilton, Franklin

### CARROLL

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

Lavender, Tom  
White, Syndi

Morrow, Harry

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Hunt, John  
Mann, John  
Sad, Tara  
Weed, Charles

### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

### GRAFTON

Almy, Susan  
Friedrich, Carol

Benn, Bernard  
Gionet, Edmond

Cooney, Mary  
Harding, Laurie

Ford, Susan  
Higgins, Patricia



Ladd, Rick Jr  
Nordgren, Sharon  
Smith, Suzanne

Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Lovett, Sid  
Piper, Wendy  
Townsend, Charles

Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Coffey, James  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Levesque, Melanie  
McCloskey, David  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Peter  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
Connor, Evelyn  
Flanagan, Jack  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Jasper, Shawn  
Leishman, Peter  
Long, Patrick  
McNamara, Richard  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene  
Woodbury, David

Boisvert, Ronald  
Cebrowski, John  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Hackel, Paul  
Heden, Ruth  
Jeudy, Jean  
Levasseur, Nickolas  
MacKay, Mariellen  
Nelson, Mary  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Brown, Pamela  
Chandley, Shannon  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Infantine, William  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Carol

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
French, Barbara  
Kidder, David  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Andrews, Christopher  
Davis, Frank  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Frambach, Mary  
Karrick, David Jr  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Burns, Scott  
Frazer, June  
Kelly, Sally  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Griffin, Mary  
Khan, Aboul  
McKinney, Betsy  
Perkins, Lawrence  
Sherman, Thomas  
Ward, Gerald

Belanger, Ronald  
Charron, Gene  
Devine, James  
Heffron, Frank  
Lovejoy, Patricia  
Moody, Marcia  
Priestley, Anne  
St.James, Kevin  
Whittemore, Lisa

Bick, Patrick  
Chirichiello, Brian  
Elliott, Robert  
Helmstetter, Barbara  
Major, Norman  
Muns, Chris  
Sanders, Elisabeth  
Sytek, John

Cahill, Michael  
Copeland, Timothy  
Flockhart, Eileen  
Hoelzel, Kathleen  
Mann, Maureen  
Pantelakos, Laura  
Schlachman, Donna  
Till, Mary

### STRAFFORD

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Malloy, Dennis  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
Ginsburg, Philip  
Horrigan, Timothy  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Perry, Robert  
Smith, Marjorie  
Verschuere, James

Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

### NAYS 107 BELKNAP

Burchell, Richard  
Vadney, Herbert

Comtois, Guy  
Worsman, Colette

Cornier, Jane

Sylvia, Michael

**CARROLL**

Chandler, Gene  
Umberger, Karen

Cordelli, Glenn  
Wright, Donald

McConkey, Mark

Nelson, Bill

**CHESHIRE**

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bradley, Lester

Brown, Rebecca

Doolan, Ralph Jr

Shackett, Jeffrey

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Hansen, Peter  
LeBrun, Donald  
Murotake, David  
O'Flaherty, Tim  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Warden, Mark

Belanger, James  
Daniels, Gary  
Hikel, John  
Martel, Andre  
Murphy, Keith  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Sweeney, Shawn  
Willette, Robert

Boehm, Ralph  
Gagne, Larry  
Kurk, Neal  
McCarthy, Michael  
Murphy, Kelleigh  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Vaillancourt, Steve  
Winters, Joel

Burt, John  
Haefner, Robert  
Lambert, George  
Meaney, Richard  
Notter, Jeanine  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Villeneuve, Moe

**MERRIMACK**

Carey, Lorrie  
McGuire, Dan

Ebel, Karen  
Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Borden, David  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Itse, Daniel  
Nigrello, Robert  
Sedensky, John  
Waterhouse, Kevin

Allen, Mary  
Comerford, Timothy  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Kappler, Lawrence  
O'Connor, John  
Tamburello, Daniel  
Wazlaw, Brian

Baldasaro, Alfred  
Danais, Romeo  
Emerson-Brown, Rebecca  
Garcia, Marilinda  
Harris, Jeffrey  
Lundgren, David  
Rice, Frederick  
Thompson, David  
Webb, James Sr

Birdsell, Regina  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Milz, David  
Schroadter, Adam  
Tremblay, Stella  
Weyler, Kenneth

**STRAFFORD**

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

**SULLIVAN**

Rollins, Skip  
and the majority committee report was adopted.

**HB 575**, relative to hours of sales of on-premises liquor licensees. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Emily C. Sandblade for the Majority of Commerce and Consumer Affairs: This bill aligns the closing hours of New Hampshire on-premises licensees with the 2 a.m. closing hours in the surrounding states. This will result in larger rooms-and-meals-tax revenues for New Hampshire towns and cities as well as a significant increase in employment in the state. In addition, this bill, as amended, creates a strong incentive for business owners to be more responsible in the operation of their establishments. Those business owners who don't comply with RSA 179:5, which prohibit sales to underage or inebriated people, will not be allowed to remain open for the extra hour of operation if the licensee has a violation within the last three years. The amendment allows cities and towns local control to decide if they wish to allow the extra hour of operation. Vote 11-8.

Rep. Ruth S. Heden for the Minority of Commerce and Consumer Affairs: The minority opposes extending hours to sell beverages or liquor. NH is an alcohol control state but we have been unable to control alcohol consumption by youth in our communities. According to the NH governor's commission on alcohol and drug abuse prevention, intervention, and treatment, NH is 1st in the nation in alcohol use by 12 to 20 year olds (34%) and 3rd in the nation in binge drinking by this age group (22%). We have a problem. College leaders at UNH and Keene State, and Durham police deal with these issues and recommend those hours not be increased. They expressed concerns about higher consumption, the drain on over-stretched services, more arrests or protective custody needs, and the impact on their communities. Keene State College's program to educate and counsel students about alcohol use has seen significant gains and they do not want to see a reversal of these trends. The governor's commission asks NH leaders to increase public awareness of the problem and inform about harm and risks. Research findings indicate that binge pattern alcohol consumption has neural consequences. And with our younger teens, early onset of alcohol use results in a 5x risk of an alcoholic use disorder. Failing to address these needs will result in higher health care costs. We need to work with the commission and college communities to support their efforts. And we need prevention programs for our children and youth. It is the opinion of the minority that NH's ratings for alcohol use by our youth are unacceptable and must not be ignored by this body. Extending hours to sell more alcohol at this time sends the wrong message.

### Majority Amendment (0668h)

Amend the bill by replacing section 1 with the following:

1 Hours of Sales; On-Premises Liquor Licensees. Amend RSA 179:17, II(b) to read as follows:

(b) On-premises licensees may sell from 6:00 a.m. to ~~[1:00]~~ 2:00 a.m., 7 days a week. *If the legislative body of a city or town adopts an ordinance prohibiting sales by on-premises licensees after 1:00 a.m., the licensee shall comply with such ordinance.*

### AMENDED ANALYSIS

This bill allows on-premises liquor licensees to sell beverages or liquor until 2:00 a.m., unless prohibited from selling after 1:00 a.m. by local ordinance.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Heden spoke against.

Rep. Sandblade spoke in favor and yielded to questions.

Rep. Flanagan requested a roll call; sufficiently seconded.

### YEAS 208 NAYS 123

#### YEAS 208

#### BELKNAP

Arsenault, Beth  
Fields, Dennis  
Sylvia, Michael

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Comtois, Guy  
Gulick, Ruth

Cormier, Jane  
Luther, Robert

#### CARROLL

Buco, Thomas  
McConkey, Mark  
Wright, Donald

Butler, Edward  
Morrow, Harry

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
Umberger, Karen

#### CHESHIRE

Berch, Paul  
Johnsen, Gladys  
Roberts, Kris  
Weber, Lucy

Burridge, Delmar  
Johnson, Jane  
Robertson, Timothy

Eaton, Daniel  
Lerandeau, Alfred  
Sad, Tara

Hunt, John  
Ley, Douglas  
Tatro, Bruce

#### COOS

Coulombe, Gary  
Theberge, Robert

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Doolan, Ralph Jr  
Ladd, Rick Jr  
White, Andrew

Ford, Susan  
Lauer, Linda

Friedrich, Carol  
Piper, Wendy

Gionet, Edmond  
Reilly, Harold Sr

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald  
Carroll, Douglas  
Daniels, Gary  
Gagne, Larry  
Haefner, Robert  
Jasper, Shawn  
Kurk, Neal  
Levasseur, Nickolas  
McNamara, Richard  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Renzullo, Andrew  
Sandblade, Emily  
Stroud, Kathleen  
Takesian, Charlene  
Willette, Robert

Barry, Richard  
Burt, John  
Cebrowski, John  
Danielson, David  
Gale, Sylvia  
Hansen, Peter  
Judy, Jean  
Lambert, George  
Martel, Andre  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Porter, Marjorie  
Rosenwald, Cindy  
Schmidt, Janice  
Sullivan, Daniel  
Vaillancourt, Steve  
Williams, Carol

Belanger, James  
Byron, Frank  
Coffey, James  
DiSilvestro, Linda  
Gorman, Mary  
Hikel, John  
Knowles, Mary Ann  
LeBrun, Donald  
McCarthy, Michael  
Murotake, David  
O'Brien, Michael Sr  
Parison, James  
Pratt, Calvin  
Rowe, Robert  
Shaw, Barbara  
Sullivan, Peter  
Villeneuve, Moe  
Williams, Kermit

Boehm, Ralph  
Campbell, David  
Cote, David  
Gage, Ruth  
Graham, John  
Infantine, William  
Kopka, Angeline  
Leishman, Peter  
McCloskey, David  
Murphy, Keith  
O'Flaherty, Tim  
Pellegrino, Tony  
Ramsey, Peter  
Sanborn, Laurie  
Straight, Philip  
Sweeney, Shawn  
Warden, Mark  
Winters, Joel

**MERRIMACK**

Andrews, Christopher  
Karrick, David Jr  
McGuire, Dan  
Shurtieff, Stephen

Carson, Clyde  
Kotowski, Frank  
Ratzki, Mario  
Turcotte, Alan

Frambach, Mary  
Lockwood, Priscilla  
Richardson, Gary  
Walsh, Thomas IV

Hirsch, Geoffrey  
McGuire, Carol  
Schamberg, Thomas  
Watrous, Rick

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
McKinney, Betsy  
Pantelakos, Laura  
Sanders, Elisabeth  
Sytek, John  
Tremblay, Stella

Andrews-Ahearn, E. Elaine  
Birdsell, Regina  
Cushing, Robert Jr  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Helmstetter, Barbara  
Kappler, Lawrence  
Milz, David  
Perkins, Lawrence  
Schroader, Adam  
Tamburello, Daniel  
Waterhouse, Kevin

Baldasaro, Alfred  
Charron, Gene  
Danaïs, Romeo  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Lovejoy, Patricia  
Nigrello, Robert  
Priestley, Anne  
Sedensky, John  
Tasker, Kyle  
Webb, James Sr

Belanger, Ronald  
Chirichiello, Brian  
Devine, James  
Emerson-Brown, Rebecca  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Major, Norman  
O'Connor, John  
Rice, Frederick  
St.James, Kevin  
Thompson, David  
Weyler, Kenneth

**STRAFFORD**

Berube, Roger  
Groen, Warren  
Malloy, Dennis  
Schmidt, Peter

Bickford, David  
Grossman, Kenneth  
Parsons, Robbie  
Spainhower, Dale

Burke, Rachel  
Jones, Laura  
Pitre, Joseph  
Stevens, Audrey

Gray, James  
Kaen, Naida  
Rogers, Rose Marie  
Verschuere, James

**SULLIVAN**

Cloutier, John  
Smith, Steven

Grenier, James  
Tanner, Linda

Lefebvre, Benjamin

Rollins, Skip

**NAYS 123  
BELKNAP**

DiMartino, Lisa

Huot, David

Raymond, Ian

Tilton, Franklin

**CARROLL**

Lavender, Tom	Nelson, Bill	Ticehurst, Susan	White, Syndi
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**CHESHIRE**

Ames, Richard	Butynski, William	Chase, Cynthia	Emerson, Susan
Mann, John	Parkhurst, Henry	Phillips, Larry	Shepardson, Marjorie
Weed, Charles	Young, Harry		

**COOS**

Enman, Larry	Hammon, Marcia	Hatch, William	Moynihan, Wayne
Thomas, Yvonne			

**GRAFTON**

Almy, Susan	Benn, Bernard	Bradley, Lester	Brown, Rebecca
Cooney, Mary	Harding, Laurie	Higgins, Patricia	Lovett, Sid
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	

**HILLSBOROUGH**

Beaulieu, Jane	Brown, Pamela	Chandley, Shannon	Connor, Evelyn
Flanagan, Jack	Gargas, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Grady, Brenda	Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda
Heden, Ruth	Jack, Martin	LeVasseur, Richard	Levesque, Melanie
Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr	Nelson, Mary
Shattuck, Gilman	Smith, Timothy	Spratt, Stephen	Walsh, Robert Jr
Woodbury, David			

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Burns, Scott	Carey, Lorrie
Davis, Frank	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Kidder, David	MacKay, James	Moffett, Howard
Patten, Dick	Rice, Chip	Rogers, Katherine	Schuett, Dianne
Smith, Todd	Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth
Webb, Leigh			

**ROCKINGHAM**

Allen, Mary	Borden, David	Cahill, Michael	Cali-Pitts, Jacqueline
Copeland, Timothy	Elliott, Robert	Flockhart, Eileen	Heffron, Frank
Khan, Aboul	Lundgren, David	Mann, Maureen	Moody, Marcia
Muns, Chris	Schlachman, Donna	Sherman, Thomas	Till, Mary
Wazlaw, Brian	Whittemore, Lisa		

**STRAFFORD**

Baber, William	Bixby, Peter	Gardner, Janice	Ginsburg, Philip
Grassie, Anne	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela
Menear, H. Robert III	Miller, David	Perry, Robert	Rollo, Deanna
Smith, Marjorie	Spang, Judith	Wall, Janet	Ward, Kenneth

**SULLIVAN**

Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia	Schmidt, Andrew
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Sweeney, Cynthia

and the majority committee report was adopted and ordered to third reading.

**HB 606-FN**, relative to community rating. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Edward A. Butler for the Majority of Commerce and Consumer Affairs: This bill would have made significant changes to New Hampshire's market rules as they relate to the small group health insurance market. However, any such changes would be preempted by the new market rules that will take effect as of January 1, 2014 under the federal Affordable Care Act. Thus, pursuing changes to the New Hampshire standards does not make sense at this time. Vote 15-4.

Rep. Pamela Z. Tucker for the Minority of Commerce and Consumer Affairs: This bill increases underwriting in the small group health insurance market. At one time, New Hampshire had a competitive market for health insurance with many insurance companies and some of the lowest rates in the country. Then we instituted severe restrictions, such as community rating and guaranteed issue. Today the number of insurance carriers can be counted on one hand, and our rates are among the highest in the country. HB 606 restores a bit of the free market to health insurance by expanding the community rating ratio to 6 from 3.5, and allowing underwriting on more criteria such as group health status. By increasing flexibility our market will be more attractive to insurance companies, expanding supply, and by allowing underwriting prices will be more attractive to consumers, expanding demand.

The question being adoption of the majority committee report of Inexpedient to Legislate. On a division vote, 236 members having voted in the affirmative and 96 in the negative, the majority committee report was adopted.

**HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steve Vaillancourt for the Majority of Criminal Justice and Public Safety: This bill, which has been a focus of much attention and a lengthy hearing in Reps Hall, came to the committee with three sections. The committee, in an attempt to reach compromise which balances rights of freedom with safety interests of society, always a delicate balance, accepted an amendment which eliminates two of the three sections of the bill. All that remains is section one which repeals what is widely referred to as the stand your ground provision which was passed last year. This bill does not prevent anyone from owning or carrying guns. It simply takes us back to the practice that was in effect for more than three decades (and was never challenged in court) which affirms that a person is not justified in using deadly force on another if he or she can retreat from the encounter. Note that nothing about the bill prevents one from using deadly force if retreat is not deemed possible. Also note that the person is not required to retreat if the incident occurs on his or her private property. Thus, the castle doctrine is left intact. The committee believes a legitimate difference can and should be drawn between actions in defense of one's home and actions in common or public areas. The committee amendment removes the controversial section (two), referred to by some as the "brandishing" section in recognition of the Ward Bird case. In other words, what Ward Bird did in the famous case would still be legal because it was in regard to his own property. The committee, in concurrence with the sponsor, also removed section three which would have repealed a statute relative to civil immunity for the use of force. In other words, civil immunity will remain for those using force. Many reasons were stated for retaining section one of the bill, the most salient being that ours would be a safer society if people are not encouraged to use guns on the street as a first resort. Some committee members thought of times when they ran into problems on the street, problems which were resolved but could well have escalated had they or those around them attempted to draw weapons. The majority understands that some will not be happy with passage of even a single section of this bill, but the amendment should be seen as a compromise that most should be able to live with. Vote 12-6.

Rep. Kyle J. Tasker for the Minority of Criminal Justice and Public Safety: The minority feels this bill has no demonstrable merit and it would be foolish to change the law every two years without giving current law a chance to demonstrate results. This body is not so fickle as to remove a right once granted.

### **Majority Amendment (0341h)**

Amend the bill by deleting sections 2 and 3 and renumbering the original section 4 to read as 2.

### **AMENDED ANALYSIS**

This bill eliminates the provision allowing a person to use deadly force anywhere he or she has a right to be.

### **MOTION TO SPECIAL ORDER**

Rep. Shurtleff moved that **HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force, be made a Special Order for the next Session day in its Regular Calendar order.

Reps. Shurtleff and Chandler spoke in favor.

Motion adopted.

**REGULAR CALENDAR – PART II (CONT'D)****(Rep. Kaen in the Chair)****HB 264-FN**, relative to simple assault. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Delmar D. Burrige for the Majority of Criminal Justice and Public Safety: This bill provides that an assault which does not result in harm to another shall be charged as a violation and not a misdemeanor. Representatives from the attorney general's office, the coalition against domestic violence and sexual violence offered compelling testimony against this proposal that decriminalizes an assault by contact such as abuser kicks, shoves, slaps, grabs, or spits in the face of another and does not cause a visible injury to the victim, the perpetrator would only be charged with a violation level offense. The penalty for these acts would be \$100 or just 10-hours community service. These noted behaviors begin the slope towards fear, terror and, if unchecked early on by current law, homicide. Vote 16-4.

Rep. Mark Warden for the Minority of Criminal Justice and Public Safety: This bill would reduce the penalty for purposely causing unprivileged physical contact to another from misdemeanor to violation when there is no harm or injury. The committee heard testimony from witnesses who said there are many crowded places where people bump into each other, and to criminalize incidental contact is an inappropriate penalty. The minority believes this bill would lead to reduced expenditures by the state and local law enforcement.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Sweeney and Tamburello spoke against and yielded to questions.

Rep. Pantelakos spoke in favor.

Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 218 NAYS 111****YEAS 218****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Merrow, Harry

Butler, Edward  
Ticehurst, Susan

Lavender, Tom  
Umberger, Karen

McConkey, Mark  
White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Burrige, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

**COOS**

Coulombe, Gary  
Theberge, Robert

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Moynihan, Wayne

**GRAFTON**

Almy, Susan  
Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Smith, Suzanne

Bradley, Lester  
Gionet, Edmond  
Lovett, Sid  
Piper, Wendy  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Campbell, David

Beaulieu, Jane  
Chandley, Shannon

Boisvert, Ronald  
Connor, Evelyn

Brown, Pamela  
Cote, David

DiSilvestro, Linda  
 Goley, Jeffrey  
 Hansberry, Daniel  
 Jasper, Shawn  
 Kurk, Neal  
 MacKay, Mariellen  
 McCloskey, David  
 Pellegrino, Tony  
 Schmidt, Janice  
 Spratt, Stephen  
 Walsh, Robert Jr

Gage, Ruth  
 Gorman, Mary  
 Harriott-Gathright, Linda  
 Jeudy, Jean  
 Leishman, Peter  
 Manley, Jonathan Sr  
 McNamara, Richard  
 Porter, Marjorie  
 Shattuck, Gilman  
 Sullivan, Daniel  
 Williams, Carol

Gale, Sylvia  
 Grady, Brenda  
 Heden, Ruth  
 Knowles, Mary Ann  
 Levesque, Melanie  
 Martel, Andre  
 Nelson, Mary  
 Ramsey, Peter  
 Shaw, Barbara  
 Sullivan, Peter  
 Woodbury, David

Gargas, Carolyn  
 Hammond, Jill  
 Jack, Martin  
 Kopka, Angeline  
 Long, Patrick  
 McCarthy, Michael  
 O'Brien, Michael Sr  
 Rosenwald, Cindy  
 Smith, Timothy  
 Vaillancourt, Steve

### MERRIMACK

Alicea, Caroletta  
 Carey, Lorrie  
 Frambach, Mary  
 Henle, Paul  
 Kidder, David  
 Patten, Dick  
 Rogers, Katherine  
 Smith, Todd  
 Walsh, Thomas IV

Andrews, Christopher  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Kotowski, Frank  
 Ratzki, Mario  
 Schamberg, Thomas  
 Tilton, Joy  
 Walz, Mary Beth

Bartlett, Christy  
 Davis, Frank  
 French, Barbara  
 Karrick, David Jr  
 MacKay, James  
 Rice, Chip  
 Schuett, Dianne  
 Turcotte, Alan  
 Watrous, Rick

Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Kelly, Sally  
 Moffett, Howard  
 Richardson, Gary  
 Shurtliff, Stephen  
 Wallner, Mary Jane  
 Webb, Leigh

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
 Charron, Gene  
 Elliott, Robert  
 Grace, Curtis  
 Khan, Aboul  
 McKinney, Betsy  
 O'Connor, John  
 Sherman, Thomas  
 Wazlaw, Brian

Borden, David  
 Copeland, Timothy  
 Emerson-Brown, Rebecca  
 Griffin, Mary  
 Lovejoy, Patricia  
 Milz, David  
 Pantelakos, Laura  
 St.James, Kevin  
 Whittemore, Lisa

Cahill, Michael  
 Cushing, Robert Jr  
 Fesh, Robert  
 Heffron, Frank  
 Major, Norman  
 Moody, Marcia  
 Priestley, Anne  
 Till, Mary

Cali-Pitts, Jacqueline  
 Devine, James  
 Flockhart, Eileen  
 Helmstetter, Barbara  
 Mann, Maureen  
 Muns, Chris  
 Schlachman, Donna  
 Ward, Gerald

### STRAFFORD

Baber, William  
 Gardner, Janice  
 Hooper, Dorothea  
 Menear, H. Robert III  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

Berube, Roger  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Miller, David  
 Schmidt, Peter  
 Stevens, Audrey

Bixby, Peter  
 Grassie, Anne  
 Hubbard, Pamela  
 Perry, Robert  
 Smith, Marjorie  
 Verschuere, James

Burke, Rachel  
 Grossman, Kenneth  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Sweeney, Cynthia

Gagnon, Raymond  
 Lefebvre, Benjamin  
 Tanner, Linda

Gottling, Suzanne  
 Schmidt, Andrew

Grenier, James  
 Smith, Steven

### NAYS 111 BELKNAP

Burchell, Richard  
 Luther, Robert  
 Worsman, Colette

Comtois, Guy  
 Sylvia, Michael

Cormier, Jane  
 Tilton, Franklin

Greemore, Robert Jr  
 Vadney, Herbert

### CARROLL

Cordelli, Glenn

Nelson, Bill

Schmidt, Stephen

Wright, Donald

### CHESHIRE

Hunt, John

Johnson, Jane



**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Doolan, Ralph Jr

Friedrich, Carol

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard

Belanger, James

Boehm, Ralph

Burt, John

Byron, Frank

Carroll, Douglas

Cebrowski, John

Coffey, James

Daniels, Gary

Danielson, David

Flanagan, Jack

Gagne, Larry

Graham, John

Haefner, Robert

Hansen, Peter

Hikel, John

Infantine, William

Lambert, George

LeBrun, Donald

Levasseur, Nickolas

LeVasseur, Richard

Meaney, Richard

Murotake, David

Murphy, Keith

Murphy, Kelleigh

Notter, Jeanine

O'Flaherty, Tim

Ober, Russell III

Palmer, Stephen

Parison, James

Peterson, Lenette

Pratt, Calvin

Renzullo, Andrew

Rowe, Robert

Sandblade, Emily

Straight, Philip

Stroud, Kathleen

Sweeney, Shawn

Takesian, Charlene

Villeneuve, Moe

Warden, Mark

Willette, Robert

Williams, Kermit

Winters, Joel

**MERRIMACK**

Lockwood, Priscilla

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick

Allen, Mary

Baldasaro, Alfred

Bick, Patrick

Birdsell, Regina

Chirichiello, Brian

Comerford, Timothy

Danais, Romeo

Duarte, Joe

Dumaine, Dudley

Emerick, J. Tracy

Ferrante, Beverly

Garcia, Bianca

Garcia, Marilinda

Gordon, Richard

Hagan, Joseph

Harris, Jeffrey

Hodgdon, Bruce

Hoelzel, Kathleen

Itse, Daniel

Kappler, Lawrence

Lundgren, David

Nigrello, Robert

Perkins, Lawrence

Rice, Frederick

Sanders, Elisabeth

Schroadter, Adam

Sedensky, John

Sytek, John

Tamburello, Daniel

Tasker, Kyle

Thompson, David

Tremblay, Stella

Waterhouse, Kevin

Webb, James Sr

Weyler, Kenneth

**STRAFFORD**

Bickford, David

Gray, James

Groen, Warren

Jones, Laura

Parsons, Robbie

Pitre, Joseph

**SULLIVAN**

Rollins, Skip

and the majority committee report was adopted.

**HB 290-FN**, prohibiting unlicensed persons from openly carrying a pistol or revolver in a public building. **INEXPEDIENT TO LEGISLATE.**

Rep. Kyle J. Tasker for Criminal Justice and Public Safety: This bill is ill conceived as it attaches a class B felony to what has always been legal and if concealed without a pistol/revolver license a first offense is only a misdemeanor. On a side note, long guns are not addressed so someone without a pistol/revolver license would be free to carry an AR-15 or shotgun openly or concealed in a public building. Vote 14-4.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 322 NAYS 9****YEAS 322****BELKNAP**

Arsenault, Beth

Burchell, Richard

Comtois, Guy

Cormier, Jane

DiMartino, Lisa

Fields, Dennis

Greemore, Robert Jr

Gulick, Ruth

Huot, David

Luther, Robert

Raymond, Ian

Sylvia, Michael

Tilton, Franklin

Vadney, Herbert

Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
Schmidt, Stephen  
Wright, Donald

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Morrow, Harry  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill  
White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Mann, John  
Sad, Tara  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Johnson, Jane  
Parkhurst, Henry  
Shepardson, Marjorie

Burridge, Delmar  
Emerson, Susan  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

Butynski, William  
Hunt, John  
Ley, Douglas  
Roberts, Kris  
Weber, Lucy

**COOS**

Coulombe, Gary  
Rappaport, Laurence  
Thomas, Yvonne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

**GRAFTON**

Almy, Susan  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Pastor, Beatriz  
Smith, Suzanne

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Piper, Wendy  
Sykes, George

Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Byron, Frank  
Chandley, Shannon  
Daniels, Gary  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Harriott-Gathright, Linda  
Jack, Martin  
Kopka, Angeline  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
Murphy, Keith  
O'Brien, Michael Sr  
Parison, James  
Pratt, Calvin  
Rowe, Robert  
Shattuck, Gilman  
Straight, Philip  
Sweeney, Shawn  
Walsh, Robert Jr  
Williams, Kermit

Barry, Richard  
Boisvert, Ronald  
Campbell, David  
Coffey, James  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Jasper, Shawn  
Kurk, Neal  
Levasseur, Nickolas  
MacKay, Mariellen  
McNamara, Richard  
Murphy, Kelleigh  
O'Flaherty, Tim  
Pellegrino, Tony  
Ramsey, Peter  
Sanborn, Laurie  
Shaw, Barbara  
Stroud, Kathleen  
Takesian, Charlene  
Warden, Mark  
Winters, Joel

Beaulieu, Jane  
Brown, Pamela  
Carroll, Douglas  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Hikel, John  
Judy, Jean  
Lambert, George  
LeVasseur, Richard  
Martel, Andre  
Meaney, Richard  
Nelson, Mary  
Ober, Russell III  
Peterson, Lenette  
Renzullo, Andrew  
Sandblade, Emily  
Smith, Timothy  
Sullivan, Daniel  
Vaillancourt, Steve  
Willette, Robert  
Woodbury, David

Belanger, James  
Burt, John  
Cebrowski, John  
Cote, David  
Flanagan, Jack  
Gargas, Carolyn  
Graham, John  
Hansen, Peter  
Infantine, William  
Knowles, Mary Ann  
LeBrun, Donald  
Levesque, Melanie  
McCarthy, Michael  
Murotake, David  
Notter, Jeanine  
Palmer, Stephen  
Porter, Marjorie  
Rosenwald, Cindy  
Schmidt, Janice  
Spratt, Stephen  
Sullivan, Peter  
Villeneuve, Moe  
Williams, Carol

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Frazer, June

Andrews, Christopher  
Davis, Frank  
French, Barbara

Bartlett, Christy  
Ebel, Karen  
Gile, Mary

Burns, Scott  
Frambach, Mary  
Henle, Paul

Hirsch, Geoffrey  
Kotowski, Frank  
McGuire, Dan  
Rice, Chip  
Schuett, Dianne  
Turcotte, Alan  
Watrous, Rick

Karrick, David Jr  
Lockwood, Priscilla  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Wallner, Mary Jane  
Webb, Leigh

Kelly, Sally  
MacKay, James  
Patten, Dick  
Rogers, Katherine  
Smith, Todd  
Walsh, Thomas IV

Kidder, David  
McGuire, Carol  
Ratzki, Mario  
Schamberg, Thomas  
Tilton, Joy  
Walz, Mary Beth

## ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Charron, Gene  
Cushing, Robert Jr  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Milz, David  
Pantelakos, Laura  
Sanders, Elisabeth  
Sherman, Thomas  
Tasker, Kyle  
Ward, Gerald  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Chirichiello, Brian  
Danais, Romeo  
Elliott, Robert  
Flockhart, Eileen  
Grace, Curtis  
Heffron, Frank  
Itse, Daniel  
Lundgren, David  
Muns, Chris  
Perkins, Lawrence  
Schlachman, Donna  
St.James, Kevin  
Thompson, David  
Waterhouse, Kevin  
Whittemore, Lisa

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Helmstetter, Barbara  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Schroadter, Adam  
Sytek, John  
Till, Mary  
Wazlaw, Brian

Bick, Patrick  
Cali-Pitts, Jacqueline  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Hagan, Joseph  
Hodgdon, Bruce  
Khan, Aboul  
Mann, Maureen  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Tamburello, Daniel  
Tremblay, Stella  
Webb, James Sr

## STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Horrigan, Timothy  
Menear, H. Robert III  
Pitre, Joseph  
Smith, Marjorie  
Wall, Janet

Berube, Roger  
Gardner, Janice  
Groen, Warren  
Hubbard, Pamela  
Miller, David  
Rogers, Rose Marie  
Spainhower, Dale  
Ward, Kenneth

Bickford, David  
Ginsburg, Philip  
Grossman, Kenneth  
Jones, Laura  
Parsons, Robbie  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Hooper, Dorothea  
Malloy, Dennis  
Perry, Robert  
Schmidt, Peter  
Verschuieren, James

## SULLIVAN

Cloutier, John  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
Rollins, Skip  
Tanner, Linda

Grenier, James  
Schmidt, Andrew

## NAYS 9

## BELKNAP

None

## CARROLL

None

## CHESHIRE

Robertson, Timothy

Weed, Charles

## COOS

None

## GRAFTON

None

**HILLSBOROUGH**

Manley, Jonathan Sr

**MERRIMACK**

Carey, Lorrie

**ROCKINGHAM**

Baldasaro, Alfred

Emerson-Brown, Rebecca

McKinney, Betsy

Moody, Marcia

**STRAFFORD**

Spang, Judith

**SULLIVAN**

None

and the committee report was adopted.

Rep. Baldasaro voted Nay and intended to vote Yea.

**HB 381**, relative to citizen complaints against a police officer. **INEXPEDIENT TO LEGISLATE.** Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The committee felt that there are very strong policies in place in police departments throughout the state to take care of citizen's complaints. We had a former police officer testify that officers are fired for telling lies. Vote 15-5. Committee report adopted.

**(Speaker Norelli in the Chair)**

**HB 443-FN**, prohibiting prison privatization. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for the Majority of Criminal Justice and Public Safety: The majority of the committee believes that prison privatization is not good for the state because our constitution says that we are supposed to rehabilitate. The committee recognizes that prisoners are not the only ones affected by privatization and those family members also feel the effects. Many reports regarding privatization of prisons show the negative aspects of privatization. The amendment allows the commissioner the flexibility to move inmates in a case of emergency. Vote 13-5.

Rep. Steve Vaillancourt for the Minority of Criminal Justice and Public Safety: The state has spent a great deal of money studying privatization of prisons; in fact the results are not yet in. That's why the minority is bewildered at the rush to pass this bill which would in fact prohibit privatization. The bill is a classic example of putting the cart before the horse; those who oppose privatization should make their case when and if a bill calling for that ever comes forward. What this bill does is allow people to stand on a soap box and sound off before all the results are in. The bill is virtually meaningless because one legislature cannot bind a future legislature with a bill; only a constitutional amendment can be so binding. Thus, whether or not this bill passes, a legislature elected in 2014 could simply ignore it. The minority is perplexed by the certainty with which proponents of this bill state that private prisons are denying rights of prisoners and deny rehabilitation programs. If in fact the state could save millions of dollars with privatization—and again, no decision has yet been made—we would conceivably have more dollars to spend for the very same programs the majority claims to champion. Most disturbing is a statement from a member in the majority who said she would not favor privatization even if the state realized \$20 million in savings. At a time when we are hard pressed to fund necessary programs, such statements send a very bad signal indeed. Other than making some people feel good about demonizing private enterprise, this bill accomplishes nothing and could be harmful indeed. For example, there is no evidence to the majorities' contention that private facilities would absolutely scrimp on food and basic services like heat to prisoners. There is evidence, however, that some corrections officers at state-run prisons make more in benefits than they do in salary, a long-term structural concern that must be addressed. Whether or not privatization is the answer, a ban on even studying the concept is certainly not the answer.

**Majority Amendment (0563h)**

Amend RSA 21-H:8, VII as inserted by section 2 of the bill to read as follows:

VII.(a) The commissioner may order the assignment and transfer of persons committed to his *or her* custody to correctional facilities of the department *or correctional facilities operated by state*

*governments in other jurisdictions, or public facilities under contract with the department. The commissioner shall not enter into a contract with a private or for-profit entity for the custody of state or county inmates.*

*(b) Notwithstanding subparagraph (a), if the governor, upon recommendation of the commissioner, declares by executive order that a corrections emergency exists that requires the commissioner to enter into a temporary contract with a private or for-profit entity to secure provisional housing for displaced inmates, the commissioner may enter into such a contract, pending approval of the governor and the council. Any such contract shall be for no more than 3 months and may be extended, with executive council approval, for no more than 3 months at a time and for no more than 21 months after the governor first determines that the prison emergency exists. Temporary contracts entered into under this section shall not permanently or indefinitely replace New Hampshire department of corrections correctional facilities or contracts with other publicly-operated facilities.*

#### AMENDED ANALYSIS

This bill prohibits the department of corrections from transferring custody of prisoners to a correctional facility operated by a private or for-profit entity, except when the governor, upon recommendation of the commissioner of the department of corrections, declares by executive order that a corrections emergency exists.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Cushing spoke in favor and yielded to questions.

Rep. Dan McGuire spoke against.

#### MOTION TO LAY ON THE TABLE

Rep. Rideout moved that **HB 443-FN**, prohibiting prison privatization, be laid on the table.

Rep. Rideout requested a roll call; sufficiently seconded.

#### YEAS 144 NAYS 189

##### YEAS 144

##### BELKNAP

Burchell, Richard  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Sylvia, Michael

Cormier, Jane  
Tilton, Franklin

Greemore, Robert Jr  
Vadney, Herbert

##### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Lavender, Tom  
Schmidt, Stephen

##### CHESHIRE

Butynski, William  
Lerandeau, Alfred

Emerson, Susan  
Roberts, Kris

Hunt, John

Johnson, Jane

##### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Theberge, Robert

##### GRAFTON

Bradley, Lester  
Reilly, Harold Sr

Brown, Rebecca  
Shackett, Jeffrey

Doolan, Ralph Jr

Ladd, Rick Jr

##### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Haefner, Robert

Belanger, James  
Carroll, Douglas  
Flanagan, Jack  
Hansen, Peter

Boehm, Ralph  
Cebrowski, John  
Gagne, Larry  
Hikel, John

Burt, John  
Coffey, James  
Graham, John  
Jasper, Shawn

Kurk, Neal  
LeVasseur, Richard  
Notter, Jeanine  
Parison, James  
Ramsey, Peter  
Sandblade, Emily  
Vaillancourt, Steve

Lambert, George  
Martel, Andre  
Ober, Lynne  
Pellegrino, Tony  
Renzullo, Andrew  
Stroud, Kathleen  
Villeneuve, Moe

LeBrun, Donald  
McCarthy, Michael  
Ober, Russell III  
Peterson, Lenette  
Rowe, Robert  
Sweeney, Shawn  
Warden, Mark

Levasseur, Nickolas  
Meaney, Richard  
Palmer, Stephen  
Pratt, Calvin  
Sanborn, Laurie  
Takesian, Charlene  
Willette, Robert

### MERRIMACK

Carson, Clyde  
McGuire, Carol

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Smith, Todd

Lockwood, Priscilla  
Walsh, Thomas IV

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Comerford, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Khan, Aboul  
Milz, David  
Priestley, Anne  
Sedensky, John  
Tremblay, Stella

Allen, Mary  
Cali-Pitts, Jacqueline  
Copeland, Timothy  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Lundgren, David  
Nigrello, Robert  
Rice, Frederick  
St.James, Kevin  
Waterhouse, Kevin

Baldasaro, Alfred  
Charron, Gene  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Sanders, Elisabeth  
Sytek, John  
Webb, James Sr

Bick, Patrick  
Chirichiello, Brian  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
Perkins, Lawrence  
Schroadter, Adam  
Tamburello, Daniel  
Weyler, Kenneth

### STRAFFORD

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren  
Verschuere, James

Jones, Laura

### SULLIVAN

Rollins, Skip

Smith, Steven

### NAYS 189

### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

### CARROLL

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Burridge, Delmar  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Chase, Cynthia  
Mann, John  
Sad, Tara  
Weed, Charles

### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Hatch, William

### GRAFTON

Almy, Susan  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Gionet, Edmond  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

Ford, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Danielson, David  
Gargas, Carolyn  
Hammond, Jill  
Infantine, William  
Kopka, Angeline  
MacKay, Mariellen  
Murotake, David  
O'Brien, Michael Sr  
Schmidt, Janice  
Spratt, Stephen  
Williams, Carol

Beaulieu, Jane  
Chandley, Shannon  
DiSilvestro, Linda  
Goley, Jeffrey  
Hansberry, Daniel  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
Murphy, Keith  
O'Flaherty, Tim  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Boisvert, Ronald  
Connor, Evelyn  
Gage, Ruth  
Gorman, Mary  
Harriott-Gathright, Linda  
Judy, Jean  
Levesque, Melanie  
McCloskey, David  
Murphy, Kelleigh  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Peter  
Winters, Joel

Brown, Pamela  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Heden, Ruth  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Nelson, Mary  
Rosenwald, Cindy  
Smith, Timothy  
Walsh, Robert Jr  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Andrews, Christopher  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Burns, Scott  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Till, Mary

Borden, David  
Flockhart, Eileen  
Mann, Maureen  
Schlachman, Donna  
Ward, Gerald

Cahill, Michael  
Heffron, Frank  
Moody, Marcia  
Sherman, Thomas  
Wazlaw, Brian

Cushing, Robert Jr  
Helmstetter, Barbara  
Muns, Chris  
Thompson, David  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Ward, Kenneth

Berube, Roger  
Ginsburg, Philip  
Horriggan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Tanner, Linda  
and the motion failed.

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Cali-Pitts requested a roll call; sufficiently seconded.

**YEAS 197 NAYS 136**

**YEAS 197**

**BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

**CARROLL**

Bucu, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

**CHESHIRE**

Ames, Richard

Eaton, Daniel

Ley, Douglas

Robertson, Timothy

Weber, Lucy

Berch, Paul

Emerson, Susan

Mann, John

Sad, Tara

Weed, Charles

Burridge, Delmar

Johnsen, Gladys

Parkhurst, Henry

Shepardson, Marjorie

Young, Harry

Chase, Cynthia

Lerandeau, Alfred

Phillips, Larry

Tatro, Bruce

**COOS**

Coulombe, Gary

Moynihan, Wayne

Enman, Larry

Thomas, Yvonne

Hammon, Marcia

Hatch, William

**GRAFTON**

Almy, Susan

Friedrich, Carol

Lauer, Linda

Pastor, Beatriz

Sykes, George

Benn, Bernard

Gionet, Edmond

Lovett, Sid

Piper, Wendy

Townsend, Charles

Cooney, Mary

Harding, Laurie

Mulholland, Catherine

Reilly, Harold Sr

White, Andrew

Ford, Susan

Higgins, Patricia

Nordgren, Sharon

Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert

Campbell, David

Cote, David

Gorman, Mary

Harriott-Gathright, Linda

Knowles, Mary Ann

Levesque, Melanie

McCarthy, Michael

Nelson, Mary

Rosenwald, Cindy

Smith, Timothy

Walsh, Robert Jr

Winters, Joel

Beaulieu, Jane

Carroll, Douglas

DiSilvestro, Linda

Grady, Brenda

Heden, Ruth

Kopka, Angeline

Long, Patrick

McCloskey, David

O'Brien, Michael Sr

Schmidt, Janice

Spratt, Stephen

Warden, Mark

Woodbury, David

Boisvert, Ronald

Chandley, Shannon

Gale, Sylvia

Hammond, Jill

Jack, Martin

Leishman, Peter

MacKay, Mariellen

McNamara, Richard

O'Flaherty, Tim

Shattuck, Gilman

Sullivan, Daniel

Williams, Carol

Brown, Pamela

Connor, Evelyn

Goley, Jeffrey

Hansberry, Daniel

Jeu, Jean

Levasseur, Nickolas

Manley, Jonathan Sr

Murotake, David

Porter, Marjorie

Shaw, Barbara

Sullivan, Peter

Williams, Kermit

**MERRIMACK**

Alicea, Caroletta

Carey, Lorrie

Frambach, Mary

Henle, Paul

Kelly, Sally

Patten, Dick

Rogers, Katherine

Tilton, Joy

Watrous, Rick

Andrews, Christopher

Carson, Clyde

Frazer, June

Hirsch, Geoffrey

Lockwood, Priscilla

Ratzki, Mario

Schamberg, Thomas

Turcotte, Alan

Webb, Leigh

Bartlett, Christy

Davis, Frank

French, Barbara

Hunt, Jane

MacKay, James

Rice, Chip

Schuett, Dianne

Wallner, Mary Jane

Burns, Scott

Ebel, Karen

Gile, Mary

Karrick, David Jr

Moffett, Howard

Richardson, Gary

Shurtleff, Stephen

Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine

Comerford, Timothy

Flockhart, Eileen

Lovejoy, Patricia

Pantelakos, Laura

Sytek, John

Whittemore, Lisa

Borden, David

Copeland, Timothy

Heffron, Frank

Mann, Maureen

Perkins, Lawrence

Till, Mary

Cahill, Michael

Cushing, Robert Jr

Helmstetter, Barbara

Moody, Marcia

Schlachman, Donna

Ward, Gerald

Cali-Pitts, Jacqueline

Emerson-Brown, Rebecca

Itse, Daniel

Muns, Chris

Sherman, Thomas

Wazlaw, Brian

**STRAFFORD**

Baber, William

Ginsburg, Philip

Berube, Roger

Grassie, Anne

Bixby, Peter

Grossman, Kenneth

Burke, Rachel

Hooper, Dorothea



Horrigan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

### **SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

### **NAYS 136**

### **BELKNAP**

Burchell, Richard  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Sylvia, Michael

Cormier, Jane  
Tilton, Franklin

Greemore, Robert Jr  
Vadney, Herbert

### **CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Lavender, Tom  
Schmidt, Stephen

### **CHESHIRE**

Butynski, William

Hunt, John

Johnson, Jane

Roberts, Kris

### **COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Theberge, Robert

### **GRAFTON**

Bradley, Lester  
Shackett, Jeffrey

Brown, Rebecca

Doolan, Ralph Jr

Ladd, Rick Jr

### **HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Danielson, David  
Gargas, Carolyn  
Hikel, John  
Lambert, George  
Meaney, Richard  
Ober, Lynne  
Pellegrino, Tony  
Renzullo, Andrew  
Stroud, Kathleen  
Villeneuve, Moe

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Graham, John  
Infantine, William  
LeBrun, Donald  
Murphy, Keith  
Ober, Russell III  
Peterson, Lenette  
Rowe, Robert  
Sweeney, Shawn  
Willette, Robert

Boehm, Ralph  
Coffey, James  
Gage, Ruth  
Haefner, Robert  
Jasper, Shawn  
LeVasseur, Richard  
Murphy, Kelleigh  
Palmer, Stephen  
Pratt, Calvin  
Sanborn, Laurie  
Takesian, Charlene

Burt, John  
Daniels, Gary  
Gagne, Larry  
Hansen, Peter  
Kurk, Neal  
Martel, Andre  
Notter, Jeanine  
Parison, James  
Ramsey, Peter  
Sandblade, Emily  
Vaillancourt, Steve

### **MERRIMACK**

Kidder, David  
Smith, Todd

Kotowski, Frank  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

### **ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Khan, Aboul

Allen, Mary  
Charron, Gene  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Lundgren, David

Baldasaro, Alfred  
Chirichiello, Brian  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Major, Norman

Bick, Patrick  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Kappler, Lawrence  
McKinney, Betsy

Milz, David  
Rice, Frederick  
St.James, Kevin  
Waterhouse, Kevin

Nigrello, Robert  
Sanders, Elisabeth  
Tamburello, Daniel  
Webb, James Sr

O'Connor, John  
Schroadter, Adam  
Thompson, David  
Weyler, Kenneth

Priestley, Anne  
Sedensky, John  
Tremblay, Stella

### STRAFFORD

Bickford, David  
Jones, Laura

Gardner, Janice  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

### SULLIVAN

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.  
Rep. Danaïs declared a conflict of interest and did not participate.

The House recessed at 12:15 p.m.

### RECESS

The House reconvened at 1:30 p.m.

### (Rep. Kaen in the Chair)

**HB 451-FN**, repealing the license requirement for carrying a concealed pistol or revolver.  
**INEXPEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The majority of the committee believes this bill is unnecessary because current law regarding the issuance of concealed carry permits is sufficient. The present system ensures that local police departments do not issue licenses to persons that should not have them. Vote 14-4.

### MOTION TO SPECIAL ORDER

Rep. Itse moved that **HB 451-FN**, repealing the license requirement for carrying a concealed pistol or revolver, be made a Special Order for the next Session day in its Regular Calendar order.

Rep. Itse spoke in favor.

Motion adopted.

### REGULAR CALENDAR – PART II (CONT'D)

**HB 621-FN**, decriminalizing possession of less than one ounce of marijuana. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Linda Harriott-Gathright for the Majority of Criminal Justice and Public Safety: According to the national institute on drug abuse (NIDA), marijuana is an illicit drug, not legally permitted or authorized; unlicensed; unlawful in New Hampshire and most states within the United States. The national institute of health (NIH) says men who use marijuana may increase their risk for developing testicular cancer. Contrary to common belief, marijuana is habit forming, it's downright addictive. Long-time users trying to quit report that withdrawal symptoms such as irritability, sleeplessness, decreased appetite, anxiety and drug craving are experienced. Marijuana seriously impairs judgment and motor coordination and more than doubles a driver's risk of being in an accident. Under this bill, youth under the age of 18, with one ounce (20-30 joints) will be fined \$100.00 and ordered to attend drug rehabilitation training. Those who fail to attend the training will be fined \$1,000-2,000 dollars depending on the classification of A or B misdemeanor charge. Ultimately it's the parent's responsibility to pay the fine. Marijuana is the drug of choice amongst our young people in comparison to alcohol and even cigarettes. Finally, it should not be forgotten or ignored that the federal government continues to list marijuana as an illegal drug. Vote 12-6.

Rep. Steve Vaillancourt for the Minority of Criminal Justice and Public Safety: Although the committee has retained another bill (HB 492) dealing with legalization and regulation of marijuana, the minority believes that the least we should do in the meantime is pass this bill for decriminalization of small amounts (up to an ounce) immediately. Experience has proven the war on drugs has been lost, and we need to refocus our efforts, concentrating on truly harmful drugs and leaving those who possess small amounts of marijuana alone. All studies indicate that marijuana is far less harmful to the individual and to society than the legal substances of alcohol and tobacco. We are wasting millions of taxpayer dollars on both enforcement and incarceration (\$35,000 per person per year),

which could be put to better use elsewhere. Counterintuitively, decriminalization may in fact lead to less usage. Data reveals, for example, that marijuana use in the United States is approximately twice as great (ten versus five percent) as in the Netherlands where the substance is legal and readily available. By margins of 55-45 percent, voters in both Colorado and Washington last November decided to legalize marijuana. These are not opinion polls, but actual votes. Most valid pollsters have found a dramatic increase in support for legalization, from heavily opposed to slightly in favor at this time. The trend is continuing in favor on a regular basis, and while we should never legislate based solely on polling data, we need to be cognizant when mores of society change. Passage of this bill will save the state millions of dollars, and it will stop making criminals of individuals who are otherwise law abiding citizens. While information is being gained this summer regarding legalization, regulation and yes, taxation, we should pass this decriminalization bill today.

The question being adoption of the majority committee report of Inexpedient to Legislate.

**(Speaker Norelli in the Chair)**

Reps. Vaillancourt and Robertson spoke against and yielded to questions.

Rep. Harriott-Gathright spoke in favor.

Rep. Pantelakos requested a roll call; sufficiently seconded.

**YEAS 136 NAYS 193**

**YEAS 136  
BELKNAP**

Cormier, Jane	Fields, Dennis	Huot, David	Raymond, Ian
Sylvia, Michael	Tilton, Franklin		

**CARROLL**

Ahlgren, Christopher	Buco, Thomas	Chandler, Gene	Cordelli, Glenn
Lavender, Tom	McConkey, Mark	Merrow, Harry	Nelson, Bill
Umberger, Karen			

**CHESHIRE**

Burridge, Delmar	Butynski, William	Emerson, Susan	Johnson, Jane
Mann, John	Parkhurst, Henry		

**COOS**

Enman, Larry	Hammon, Marcia	Rappaport, Laurence	Richardson, Herbert
Rideout, Leon	Thomas, Yvonne		

**GRAFTON**

Bradley, Lester	Cooney, Mary	Doolan, Ralph Jr	Ford, Susan
Harding, Laurie	Ladd, Rick Jr	Lauer, Linda	Nordgren, Sharon
Piper, Wendy	Reilly, Harold Sr	Sykes, George	

**HILLSBOROUGH**

Boehm, Ralph	Brown, Pamela	Byron, Frank	Cebrowski, John
Connor, Evelyn	Cote, David	Daniels, Gary	Flanagan, Jack
Gale, Sylvia	Gargas, Carolyn	Goley, Jeffrey	Grady, Brenda
Graham, John	Haefner, Robert	Hansberry, Daniel	Hansen, Peter
Harriott-Gathright, Linda	Heden, Ruth	Jasper, Shawn	Jeudy, Jean
Knowles, Mary Ann	Kopka, Angeline	LeBrun, Donald	Leishman, Peter
LeVasseur, Richard	Manley, Jonathan Sr	McCarthy, Michael	Nelson, Mary
Palmer, Stephen	Pellegrino, Tony	Peterson, Lenette	Rosenwald, Cindy
Rowe, Robert	Sanborn, Laurie	Spratt, Stephen	Straight, Philip

**MERRIMACK**

Burns, Scott	Carey, Lorrie	Davis, Frank	Ebel, Karen
Frambach, Mary	Frazer, June	Kelly, Sally	Kotowski, Frank

Mackay, James  
Rogers, Katherine  
Tilton, Joy

Moffett, Howard  
Schuett, Dianne  
Webb, Leigh

Patten, Dick  
Shurtleff, Stephen

Richardson, Gary  
Smith, Todd

### ROCKINGHAM

Abrami, Patrick  
Copeland, Timothy  
Garcia, Bianca  
Hagan, Joseph  
Kappler, Lawrence  
Pantelakos, Laura  
Tamburello, Daniel  
Weyler, Kenneth

Allen, Mary  
Dumaine, Dudley  
Garcia, Marilinda  
Harris, Jeffrey  
Khan, Aboul  
Perkins, Lawrence  
Thompson, David

Bick, Patrick  
Elliott, Robert  
Gordon, Richard  
Hodgdon, Bruce  
Major, Norman  
Priestley, Anne  
Wazlaw, Brian

Birdsell, Regina  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Mann, Maureen  
Sanders, Elisabeth  
Webb, James Sr

### STRAFFORD

Berube, Roger  
Kaen, Naida  
Stevens, Audrey

Gray, James  
Malloy, Dennis  
Wall, Janet

Groen, Warren  
Rollo, Deanna

Hubbard, Pamela  
Smith, Marjorie

### SULLIVAN

Gagnon, Raymond  
Sweeney, Cynthia

Rollins, Skip

Schmidt, Andrew

Smith, Steven

### NAYS 193

#### BELKNAP

Arsenault, Beth  
Greemore, Robert Jr  
Worsman, Colette

Burchell, Richard  
Gulick, Ruth

Comtois, Guy  
Luther, Robert

DiMartino, Lisa  
Vadney, Herbert

### CARROLL

Butler, Edward  
Wright, Donald

Schmidt, Stephen

Ticehurst, Susan

White, Syndi

### CHESHIRE

Ames, Richard  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Eaton, Daniel  
Roberts, Kris  
Tatro, Bruce

### COOS

Coulombe, Gary

Moynihan, Wayne

Theberge, Robert

### GRAFTON

Almy, Susan  
Gionet, Edmond  
Shackett, Jeffrey

Benn, Bernard  
Higgins, Patricia  
Smith, Suzanne

Brown, Rebecca  
Lovett, Sid  
Townsend, Charles

Friedrich, Carol  
Mulholland, Catherine  
White, Andrew

### HILLSBOROUGH

Backus, Robert  
Burt, John  
Coffey, James  
Gagne, Larry  
Jack, Martin  
Levesque, Melanie  
McNamara, Richard  
Murphy, Kelleigh  
Ober, Lynne  
Renzullo, Andrew

Barry, Richard  
Campbell, David  
Danielson, David  
Hammond, Jill  
Kurk, Neal  
Long, Patrick  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Rhodes, Brian

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Hikel, John  
Lambert, George  
Mackay, Mariellen  
Murotake, David  
O'Brien, Michael Sr  
Porter, Marjorie  
Sandblade, Emily

Belanger, James  
Chandley, Shannon  
Gage, Ruth  
Infantine, William  
Levasseur, Nickolas  
McCloskey, David  
Murphy, Keith  
O'Flaherty, Tim  
Pratt, Calvin  
Schmidt, Janice

Shattuck, Gilman  
Sullivan, Daniel  
Villeneuve, Moe  
Williams, Carol

Shaw, Barbara  
Sullivan, Peter  
Walsh, Robert Jr  
Williams, Kermit

Smith, Timothy  
Takesian, Charlene  
Warden, Mark  
Winters, Joel

Stroud, Kathleen  
Vaillancourt, Steve  
Willette, Robert  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Rice, Chip  
Walz, Mary Beth

Andrews, Christopher  
French, Barbara  
Hunt, Jane  
McGuire, Carol  
Schamberg, Thomas  
Watrous, Rick

Bartlett, Christy  
Gile, Mary  
Karrick, David Jr  
McGuire, Dan  
Turcotte, Alan

Bouchard, Candace  
Henle, Paul  
Kidder, David  
Ratzki, Mario  
Walsh, Thomas IV

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Comerford, Timothy  
Duarte, Joe  
Flockhart, Eileen  
Itse, Daniel  
Miltz, David  
O'Connor, John  
Sedensky, John  
Tasker, Kyle  
Waterhouse, Kevin

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Emerick, J. Tracy  
Grace, Curtis  
Lovejoy, Patricia  
Moody, Marcia  
Rice, Frederick  
Sherman, Thomas  
Till, Mary  
Whittemore, Lisa

Belanger, Ronald  
Charron, Gene  
Danais, Romeo  
Emerson-Brown, Rebecca  
Heffron, Frank  
Lundgren, David  
Muns, Chris  
Schlachman, Donna  
St.James, Kevin  
Tremblay, Stella

Borden, David  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Helmstetter, Barbara  
McKinney, Betsy  
Nigrello, Robert  
Schroader, Adam  
Sytek, John  
Ward, Gerald

### STRAFFORD

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Miller, David  
Pitre, Joseph  
Spang, Judith

Bickford, David  
Ginsburg, Philip  
Horrigan, Timothy  
Parsons, Robbie  
Rogers, Rose Marie  
Verschueren, James

Bixby, Peter  
Grassie, Anne  
Jones, Laura  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Burke, Rachel  
Grossman, Kenneth  
Meneer, H. Robert III  
Perry, Robert  
Spainhower, Dale

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin

Gottling, Suzanne  
Tanner, Linda

Grenier, James

Irwin, Virginia

and the majority committee report failed.

Rep. Winters moved the minority committee report of Ought to Pass and offered floor amendment (1079h).

### Floor Amendment (1079h)

Amend the title of the bill by replacing it with the following:

AN ACT decriminalizing possession of one quarter of an ounce or less of marijuana.

Amend the bill by replacing all after the enacting clause with the following:

I New Section; Controlled Drug Act; Personal Possession of Small Amounts of Marijuana. Amend RSA 318-B by inserting after section 2-b the following new section:

318-B:2-c Personal Possession of Small Amounts of Marijuana.

I. Any person possessing 1/4 ounce or less of marijuana, including any adulterants or dilutants, for personal use, shall be guilty of a violation.

II.(a) Any person 18 years of age or older who is in possession of 1/4 ounce or less of marijuana, including any adulterants or dilutants, and who engages in any conduct prohibited under RSA 318-B:2 shall be guilty of a violation and subject to a fine not to exceed \$200 and forfeiture of the marijuana.

(b) Any person under 18 years of age who is in possession of 1/4 ounce or less of marijuana, including any adulterants or dilutants, and who engages in any conduct prohibited under RSA 318-B:2 shall be guilty of a violation and subject to a fine not to exceed \$200 and forfeiture of the marijuana.

The offender's parents or legal guardians shall be notified of the offense. The court shall order the offender to complete an approved drug awareness program, at the offender's expense, within one year of the date of the offense. Further, the court shall order the offender to participate in community service which shall be completed within one year of the date of the offense. The offender shall furnish the court with evidence of completion of both an approved drug awareness program and community service. An offender who fails to complete either a drug awareness program or community service, or both, shall be subject to a fine of \$1,000.

2 Controlled Drug Act; Penalties. Amend RSA 318-B:26, II(d) to read as follows:

(d) In the case of marijuana *in a quantity of 1/4 ounce or less*, including any adulterants or dilutants~~[-or]~~, ***the person shall be guilty of a violation. In the case of 5 grams or less of hashish,*** the person shall be guilty of a class A misdemeanor.

3 Controlled Drug Act; Penalties. Amend RSA 318-B:26, III(a) to read as follows:

(a) Controls any premises or vehicle where he knows a controlled drug or its analog is illegally kept or deposited, ***provided that this subparagraph shall not apply if the controlled drug is 1/4 ounce or less of marijuana as provided in RSA 318-B:2-c;***

4 Effective Date. This act shall take effect January 1, 2014.

### AMENDED ANALYSIS

This bill provides that any person who possesses 1/4 of an ounce of marijuana or less shall be guilty of a violation and shall be subject to a fine of up to \$200.

Reps. Winters and Vaillancourt spoke in favor.

Rep. Jasper spoke against and yielded to questions.

Rep. Cebrowski requested a roll call; not sufficiently seconded.

On a division vote, 229 members having voted in the affirmative and 100 in the negative, floor amendment (1079h) was adopted.

The question now being adoption of the minority committee report of Ought to Pass with Amendment. On a division vote, 214 members having voted in the affirmative and 115 in the negative, the minority committee report was adopted and ordered to third reading.

### REMOVED FROM THE TABLE

Rep. Pantelakos moved that ***HB 619-FN***, prohibiting images of a person's residence to be taken from the air, be removed from the table.

On a division vote, 187 members having voted in the affirmative and 136 in the negative, the motion was adopted.

### MOTION TO SPECIAL ORDER

Rep. Pantelakos moved that ***HB 619-FN***, prohibiting images of a person's residence to be taken from the air, be made a Special Order for the next Session day in its Regular Calendar order.

Rep. Pantelakos spoke in favor.

Adopted.

### REGULAR CALENDAR – PART II (CONT'D)

***HB 661-FN***, allocating a portion of proceeds from forfeiture of items used in connection with a drug offense to the cold case homicide unit. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Steve Vaillancourt for the Majority of Criminal Justice and Public Safety: While sympathetic with the work of the cold case homicide unit, the majority does not believe this bill represents the proper way to fund it. The bill (and its amendments) represents an end run around the budgetary process by creating special funding for this unit. The committee heard that the governor has in fact allocated funds for this unit in her budget, and thus it will be discussed in the normal budgetary process. The original bill would have deposited ten percent of drug forfeiture funds into a fund for the cold case homicide unit. Aside from the wisdom of earmarking funds by legislation, the committee also heard that such an approach is most likely not possible. The commissioner of the department of safety wrote the committee, "The use of supplanted funds from federally shared forfeitures is not allowed. The funds must be used to increase and not replace agency funding." Various members of the committee have run into similar obstacles when using drug forfeiture funds at the county level.

In fact, Hillsborough County received a legal opinion to that effect last year. An amendment to the bill would have forced the attorney general to transfer \$500,000 from drug forfeiture funds to the cold case unit, an even more questionable tactic. Aside from those concerns, some of the committee believed we should focus our law enforcement dollars on solving or preventing crimes which are currently negatively impacting our citizenry. Thus even if we could transfer these funds, there was no consensus that we should. The Finance Committee is the best place for these arguments as it puts the state budget together in the coming weeks. Vote 14-6.

Rep. Brenda E. Grady for the Minority of Criminal Justice and Public Safety: In 2009 legislation was passed to establish a Cold Case Homicide Unit to try to solve the over 100 unsolved murders in the state. Money to fund the work of this unit for 3 years came from a federal grant. To date no general fund dollars have been used to support this important specialized criminal justice work. HB 661 would use a small portion of the proceeds of the sale of items or property used in connection with a drug offense to investigate unsolved murders that involved the use, possession, sale or distribution of illegal drugs. If enacted, ten percent of the proceeds from the sale of property forfeited under RSA 319-B:17 would be deposited into the Cold Case Homicide Unit Fund established last year by the legislature in HB 138. The Minority recognizes the governor has included money in the budget she submitted to the legislature includes some funding for the Cold Case Homicide Unit and is supportive of that line item. HB 661 seeks to provide a source of money to expand the work of the Cold Case Homicide unit with a focus on drug related murders. The minority acknowledges that some in the Majority do not see the value in spending money pursuing the killers from murders committed years ago, and oppose the Cold Case Homicide Unit. The Minority believes that just as New Hampshire has no statute of limitations on the crime of murder, there should be no time limit on the state trying to bring murderers to justice. Failing to try to solve unsolved killings, including those involving illegal drugs, sends a message that some people can get away with murder and the state of New Hampshire won't care. The Criminal Justice and Public Safety Committee heard testimony in support of HB 661 from family members of unsolved homicides who shared painful details about their experience with murder and feeling abandoned by the state, knowing that the person who killed their loved one remained at large and was able to kill again. The Coalition Against Domestic and Sexual Violence supported HB 661. The Minority urges passage of the bill with the Minority Amendment to signal to the 115 families whose murdered loved one appears on Cold Case Homicide Unit List of Victims that New Hampshire is committed to justice, and to send a clear message to those who kill that the state of New Hampshire is committed to seeing that no one gets away with murder.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Carol Williams and Cushing spoke against.

Rep. Vaillancourt spoke in favor.

Rep. Andrews-Ahern requested a roll call; not sufficiently seconded.

On a division vote, 257 members having voted in the affirmative and 56 in the negative, the majority committee report was adopted.

**HB 603-FN**, relative to the administration of the university system of New Hampshire. **INEXPEDIENT TO LEGISLATE.**

Rep. Barbara E. Shaw for Education: The committee appreciates the spirit of this bill, but the majority deems it unnecessary at this time. A comprehensive study by the Huron consulting firm completed in July 2012 helped the university to identify and develop a number of recommendations supporting a well-coordinated system focused on maximizing efficiencies. The steps are being implemented and efficiencies are being realized. Students, parents and taxpayers would be better served if the university system is allowed to continue to respond itself to the priorities and needs of our state. Vote 13-7.

**MOTION TO LAY ON THE TABLE**

Rep. Cordelli moved that **HB 603-FN**, relative to the administration of the university system of New Hampshire, be laid on the table.

On a division vote, 125 members having voted in the affirmative and 178 in the negative, the motion failed.

The question now being adoption of the committee report of Inexpedient to Legislate.

Rep. Parsons spoke against.

Rep. Shaw spoke in favor and yielded to questions.

Rep. Gile requested a roll call; not sufficiently seconded.

On a division vote, 193 members having voted in the affirmative and 110 in the negative, the committee report was adopted.

**HB 624-FN**, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James L. Grenier for Education: This bill, as amended, will waive the residency requirement for veterans and allow them to be eligible for in-state tuition rates when attending the University System of New Hampshire. The original bill required a veteran to establish residency within one year of separation from service. The majority of members of the committee agreed that veterans should be eligible for in-state tuition whenever in their lives they choose to attend this state's university system. Any citizen of this country may move to New Hampshire, establish residency and wait twelve months to be eligible for in-state tuition when attending the university system of New Hampshire. This bill, as amended, gives veterans time; New Hampshire will forgive veterans that twelve month wait. Many have attended programs recognizing the service of our veterans. It is often said, "We will always remember and honor your sacrifice." HB 624 is an opportunity to make certain these words will ring true in New Hampshire by resolve and statute. Vote 17-3.

#### **Amendment (0559h)**

Amend RSA 187-A:20-c as inserted by section 1 of the bill by replacing it with the following:

187-A:20-c **Waver of Residency Requirement for In-State Tuition For Veterans.** A veteran of the armed forces who establishes a residence in New Hampshire shall immediately after establishing such residence be eligible for in-state tuition rates when attending the university system of New Hampshire.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

On a division vote, 281 members having voted in the affirmative and 28 in the negative, the committee report was adopted and ordered to third reading.

**HB 287-FN**, eliminating voter identification requirements. **INEXPEDIENT TO LEGISLATE.**

Rep. Gary B. Richardson for Election Law: This bill would have eliminated a number of voter identification requirements. A majority of the committee preferred the compromise contained in HB 595 that retains current law providing for a range of acceptable photo ID, but does not require election officials to photograph voters or limit the types of identification that is acceptable. The attorney general is reviewing the procedures followed during the last election and additional legislation may or may not be warranted when the results are known. Accordingly, the committee recommends that the bill be found inexpedient to legislate at this time. Vote 12-6.

Rep. Horrigan spoke against and yielded to questions.

Rep. Gary Richardson spoke in favor.

Rep. Tamburello requested a roll call; sufficiently seconded.

### **YEAS 276 NAYS 38**

#### **YEAS 276**

##### **BELKNAP**

Cormier, Jane

DiMartino, Lisa

Fields, Dennis

Greemore, Robert Jr

Huot, David

Luther, Robert

Sylvia, Michael

Tilton, Franklin

Worsman, Colette

##### **CARROLL**

Ahlgren, Christopher

Buco, Thomas

Butler, Edward

Chandler, Gene

Cordelli, Glenn

Lavender, Tom

McConkey, Mark

Morrow, Harry

Nelson, Bill

Schmidt, Stephen

Umberger, Karen

White, Syndi

Wright, Donald

##### **CHESHIRE**

Ames, Richard

Berch, Paul

Butynski, William

Chase, Cynthia

Eaton, Daniel

Johnson, Jane

Ley, Douglas

Mann, John



Parkhurst, Henry  
Shepardson, Marjorie

Roberts, Kris  
Tatro, Bruce

Robertson, Timothy  
Weber, Lucy

Sad, Tara  
Young, Harry

### COOS

Coulombe, Gary  
Moynihan, Wayne  
Thomas, Yvonne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Rideout, Leon

Hatch, William  
Theberge, Robert

### GRAFTON

Almy, Susan  
Cooney, Mary  
Gionet, Edmond  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Nordgren, Sharon  
Smith, Suzanne

Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Piper, Wendy  
Sykes, George

Brown, Rebecca  
Friedrich, Carol  
Lovett, Sid  
Reilly, Harold Sr  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Boehm, Ralph  
Campbell, David  
Coffey, James  
Danielson, David  
Gagne, Larry  
Graham, John  
Hansen, Peter  
Jasper, Shawn  
Kurk, Neal  
Levasseur, Nickolas  
McCarthy, Michael  
Murotake, David  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Rosenwald, Cindy  
Shaw, Barbara  
Sweeney, Shawn  
Walsh, Robert Jr

Barry, Richard  
Brown, Pamela  
Carroll, Douglas  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Haefner, Robert  
Heden, Ruth  
Judy, Jean  
Lambert, George  
Levesque, Melanie  
McCloskey, David  
Murphy, Keith  
O'Brien, Michael Sr  
Pellegrino, Tony  
Ramsey, Peter  
Rowe, Robert  
Spratt, Stephen  
Takesian, Charlene  
Willette, Robert

Beaulieu, Jane  
Burt, John  
Chandley, Shannon  
Cote, David  
Flanagan, Jack  
Goley, Jeffrey  
Hammond, Jill  
Hikel, John  
Knowles, Mary Ann  
LeBrun, Donald  
Long, Patrick  
McNamara, Richard  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Renzullo, Andrew  
Sandblade, Emily  
Straight, Philip  
Vaillancourt, Steve  
Woodbury, David

Belanger, James  
Byron, Frank  
Christiansen, Lars  
Daniels, Gary  
Gage, Ruth  
Grady, Brenda  
Hansberry, Daniel  
Infantine, William  
Kopka, Angeline  
Leishman, Peter  
MacKay, Mariellen  
Meaney, Richard  
Nelson, Mary  
Ober, Russell III  
Porter, Marjorie  
Rhodes, Brian  
Shattuck, Gilman  
Stroud, Kathleen  
Villeneuve, Moe

### MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Schamberg, Thomas  
Tilton, Joy  
Walz, Mary Beth

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Karrick, David Jr  
McGuire, Carol  
Ratzki, Mario  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Kelly, Sally  
McGuire, Dan  
Rice, Chip  
Shurtleff, Stephen  
Wallner, Mary Jane

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kotowski, Frank  
Moffett, Howard  
Richardson, Gary  
Smith, Todd  
Walsh, Thomas IV

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Cali-Pitts, Jacqueline  
Copeland, Timothy  
Elliott, Robert  
Flockhart, Eileen  
Griffin, Mary

Allen, Mary  
Birdsell, Regina  
Charron, Gene  
Danaïs, Romeo  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph

Baldasaro, Alfred  
Borden, David  
Chirichiello, Brian  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey

Belanger, Ronald  
Cahill, Michael  
Comerford, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Heffron, Frank

Hodgdon, Bruce  
Khan, Aboul  
McKinney, Betsy  
Nigrello, Robert  
Priestley, Anne  
Schroadter, Adam  
Sytek, John  
Waterhouse, Kevin

Hoelzel, Kathleen  
Lovejoy, Patricia  
Milz, David  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Tamburello, Daniel  
Webb, James Sr

Itse, Daniel  
Lundgren, David  
Moody, Marcia  
Pantelakos, Laura  
Sanders, Elisabeth  
Sherman, Thomas  
Thompson, David  
Weyler, Kenneth

Kappler, Lawrence  
Major, Norman  
Muns, Chris  
Perkins, Lawrence  
Schlachman, Donna  
St.James, Kevin  
Tremblay, Stella  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burke, Rachel  
Groen, Warren  
Malloy, Dennis  
Pelletier, Marsha  
Spainhower, Dale  
Wall, Janet

Berube, Roger  
Ginsburg, Philip  
Hubbard, Pamela  
Menear, H. Robert III  
Pitre, Joseph  
Spang, Judith

Bickford, David  
Grassie, Anne  
Jones, Laura  
Miller, David  
Rogers, Rose Marie  
Stevens, Audrey

Bixby, Peter  
Gray, James  
Kaen, Naida  
Parsons, Robbie  
Smith, Marjorie  
Verschueren, James

### SULLIVAN

Gagnon, Raymond  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
Rollins, Skip  
Tanner, Linda

Grenier, James  
Schmidt, Andrew

Irwin, Virginia  
Smith, Steven

### NAYS 38

### BELKNAP

Burchell, Richard

Comtois, Guy

Gulick, Ruth

Vadney, Herbert

### CARROLL

Ticehurst, Susan

### CHESHIRE

Burridge, Delmar

Emerson, Susan

### COOS

None

### GRAFTON

Higgins, Patricia

Lauer, Linda

### HILLSBOROUGH

Harriott-Gathright, Linda  
Schmidt, Janice  
Williams, Kermit

Jack, Martin  
Smith, Timothy  
Winters, Joel

Manley, Jonathan Sr  
Sullivan, Daniel

O'Flaherty, Tim  
Sullivan, Peter

### MERRIMACK

Bartlett, Christy

Henle, Paul

Hirsch, Geoffrey

Rogers, Katherine

### ROCKINGHAM

Cushing, Robert Jr  
Till, Mary

Devine, James  
Ward, Gerald

Emerson-Brown, Rebecca  
Wazlaw, Brian

Mann, Maureen

### STRAFFORD

Gardner, Janice  
Perry, Robert

Grossman, Kenneth  
Rollo, Deanna

Horrigan, Timothy  
Schmidt, Peter

Ketel, Stephen

### SULLIVAN

Cloutier, John  
and the committee report was adopted.

**HB 595-FN, relative to photo identification of voters. MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary B. Richardson for the Majority of Election Laws: This bill maintains current law with respect to the photo identification of voters, but eliminates provisions of the law that have not yet gone into effect. As such, it is a compromise between those who would repeal all forms of photo identification and those who would require election officials to photograph voters without a photo ID when they vote and want to significantly limit what would be acceptable proof of identification. This would constitute a governmental intrusion for the great majority of people who vote honestly but do not possess the limited forms of acceptable identification that the new law would allow. The existence of voter fraud is hotly disputed and remains controversial. Although current law calls for an investigation into voters who have been sent letters that have been returned as "undeliverable," a majority of the committee does not believe that the inability to deliver mail proves voter fraud. In addition, the committee received evidence from the secretary of state that purchasing digital cameras would cost the state approximately \$82,000 with maintenance expenditures of over \$60,000 annually to administer. In any event, the majority of the committee believes that it is premature to consider such governmental intrusion until the attorney general's investigation has been conducted and there is real evidence that voter fraud through false impersonation is actually occurring. Vote 11-7.

Rep. Shawn N. Jasper for the Minority of Election Law: The minority agrees with the majority on the issue of allowing the forms of identification that were acceptable in November to continue to be used in future elections. The minority and the majority disagree on the issue of having pictures taken of those who lack photo identification when registering to vote. The claim has been made for years that there is no voter fraud in New Hampshire; the simple fact of the matter is that until now we have never actively looked for it. This past election was the first election in which those individuals using two of the three types of affidavits, when registering to vote, were required to send back cards affirming the information sworn to. At this point we know that the attorney general will have to investigate 1690 individuals who gave addresses for which the letters sent to them were returned as undeliverable. Another 2200 cards have not been returned, as required by law and while the deadline for about 900 of those has not yet passed, it is not likely that the majority of them will be returned, resulting in additional investigations of no less than 1299 and up to a possible 2200. It is clear to the minority that it is too soon to say that there was no voter fraud in 2012; we believe that until the office of the attorney general issues a final report on the investigations we should do nothing to weaken the voter identification law. The minority understands that there is a cost associated with taking pictures of those who have no photo identification; the secretary of state has estimated that it would cost less than \$80,000 to purchase the equipment necessary to carry out the purposes of the bill. The secretary has stated that those funds are available within the unrestricted help America vote act (HAVA) fund. The minority amendment would move the requirement of having a picture taken when requesting a ballot without a picture id to when registering to vote without one. Those who lack a photo id will still be eligible to receive a photo id at no cost. It is unrealistic to think that people who register to vote without an photo id and do not have their picture taken will be easily located, if the affidavit is returned as undeliverable, taking a picture is not only a deterrent to fraud, but may also be the only means of finding an individual.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Jasper offered minority committee amendment (0615h).

**Minority Amendment (0615h)**

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Determining Identity of Voter Registration Applicant; Photograph. Amend RSA 654:12, III to read as follows:

III.(a) To prove the qualifications set forth in paragraphs I and II, an applicant for registration as a voter must prove his or her identity to establish that the evidence used to prove age, citizenship, and domicile relate to the applicant. A person who has in his or her immediate possession a photo identification approved for use by paragraph II must present that identification when applying for registration. A person who does not have an approved photo identification with him or her may establish identity through completion of the qualified voter affidavit, which shall be retained in accordance with RSA 33-A:3-a. Residents of a nursing home or similar facility may prove their identity through verification of identity by the administrator of the facility or by his or her designee.

For the purposes of this section, the application of a person whose identity has been verified by an official of a nursing home or similar facility shall be treated in the same manner as the application of a person who proved his or her identity with a photo identification.

*(b) If the voter executes a qualified voter affidavit to prove his or her identity, the supervisors of the checklist or the town or city clerk shall take a photograph of the voter and immediately print and attach the photograph to, and thus make it a part of, the affidavit form. The photograph shall be 2 inches by 2 inches, or larger, and be in color. The supervisor of the checklist or the town or city clerk who took the photograph and the voter shall then sign the challenged voter affidavit. The supervisor of the checklist or the town or city clerk shall delete the photograph from the camera in the presence of the voter. If a supervisor of the checklist or the town or city clerk is unable to take the voter's photograph due to equipment failure or other cause beyond the supervisor's or clerk's reasonable control, the voter may execute a qualified voter affidavit without a photograph. If the voter objects to the photograph requirement because of religious beliefs, he or she may execute an affidavit of religious exemption, which shall be attested to by an election officer and attached to the challenged voter affidavit. The affidavit of religious exemption shall be in the following form:*

#### **AFFIDAVIT OF RELIGIOUS EXEMPTION**

Name: \_\_\_\_\_

Domicile Address: \_\_\_\_\_

Date of birth: \_\_\_\_\_

*I hereby swear or affirm that because of my religious beliefs, I object to having my photograph taken and that I do not possess a form of identification that meets the requirements of the election laws of this state showing my photograph.*

*I hereby swear or affirm, under the penalties for voting fraud set forth below, that I am the identical person whom I represent myself to be and that to the best of my knowledge and belief the information above is true and correct.*

\_\_\_\_\_  
(Signature of affiant)

*In accordance with RSA 659:34, the penalty for knowingly or purposely providing false information when voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000. Fraudulently registering to vote or voting is subject to a civil penalty not to exceed \$5,000.*

*This affidavit was executed before us on the date shown and the person who subscribed his or her name to the foregoing affidavit swore that the facts contained in this affidavit are true to the best of his or her knowledge and belief.*

\_\_\_\_\_  
(Name of Election Officer)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Election Officer)

*(c) The secretary of state shall provide to each town or city the photography equipment, supplies, and printing device that are necessary to enable it to comply with the photograph provision of subparagraph (b), along with instructions in their use.*

#### **AMENDED ANALYSIS**

This bill repeals changes to laws requiring photo identification of voters scheduled to take effect September 1, 2013. This bill also requires that a person registering to vote be photographed if he or she does not present a photo identification to prove identity.

Rep. Jasper spoke in favor and yielded to questions.

Rep. Gary Richardson spoke against and yielded to questions.

Rep. LeBrun requested a roll call; sufficiently seconded.

**YEAS 126 NAYS 180**

**YEAS 126  
BELKNAP**

Burchell, Richard  
Greemore, Robert Jr  
Worsman, Colette

Comtois, Guy  
Sylvia, Michael

Cormier, Jane  
Tilton, Franklin

Fields, Dennis  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Merrow, Harry  
Wright, Donald

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Emerson, Susan

Johnson, Jane

**COOS**

Rideout, Leon

**GRAFTON**

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Danielson, David  
Haefner, Robert  
Kurk, Neal  
Meaney, Richard  
Notter, Jeanine  
Pellegrino, Tony  
Sandblade, Emily  
Sweeney, Shawn

Belanger, James  
Christiansen, Lars  
Flanagan, Jack  
Hansen, Peter  
Lambert, George  
Murotake, David  
Ober, Lynne  
Peterson, Lenette  
Shaw, Barbara  
Takesian, Charlene

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Hikel, John  
LeBrun, Donald  
Murphy, Keith  
Ober, Russell III  
Pratt, Calvin  
Straight, Philip  
Villeneuve, Moe

Burt, John  
Daniels, Gary  
Graham, John  
Jasper, Shawn  
McCarthy, Michael  
Murphy, Kelleigh  
Palmer, Stephen  
Rowe, Robert  
Stroud, Kathleen  
Willette, Robert

**MERRIMACK**

Kotowski, Frank  
Smith, Todd

Lockwood, Priscilla  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Copeland, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Lundgren, David  
O'Connor, John  
Sanders, Elisabeth  
Tamburello, Daniel  
Webb, James Sr

Baldasaro, Alfred  
Charron, Gene  
Danais, Romeo  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Itse, Daniel  
Major, Norman  
Perkins, Lawrence  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Belanger, Ronald  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
Priestley, Anne  
St.James, Kevin  
Tremblay, Stella

Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Khan, Aboul  
Milz, David  
Rice, Frederick  
Sytek, John  
Waterhouse, Kevin

**STRAFFORD**

Gray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

Parsons, Robbie

**SULLIVAN**

Grenier, James

Rollins, Skip

**NAYS 180****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Parkhurst, Henry  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Ley, Douglas  
Sad, Tara  
Young, Harry

Butynski, William  
Mann, John  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Piper, Wendy  
White, Andrew

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Smith, Suzanne

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Sykes, George

Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Carroll, Douglas  
DiSilvestro, Linda  
Grady, Brenda  
Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Chandlee, Shannon  
Gage, Ruth  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Sullivan, Peter  
Winters, Joel

Brown, Pamela  
Connor, Evelyn  
Gale, Sylvia  
Hansberry, Daniel  
Jeudy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Smith, Timothy  
Vaillancourt, Steve  
Woodbury, David

Campbell, David  
Cote, David  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Flaherty, Tim  
Rosenwald, Cindy  
Spratt, Stephen  
Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

**ROCKINGHAM**

Allen, Mary  
Cushing, Robert Jr  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Borden, David  
Emerson-Brown, Rebecca  
Mann, Maureen  
Schlachman, Donna  
Wazlaw, Brian

Cahill, Michael  
Flockhart, Eileen  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

Cali-Pitts, Jacqueline  
Heffron, Frank  
Muns, Chris  
Till, Mary

**STRAFFORD**

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Berube, Roger  
Gardner, Janice  
Horriggan, Timothy  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bickford, David  
Ginsburg, Philip  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

Irwin, Virginia  
Sweeney, Cynthia

and the minority committee amendment failed.

The question now being adoption of the majority committee report of Ought to Pass.  
Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 184 NAYS 122****YEAS 184****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Parkhurst, Henry  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Ley, Douglas  
Sad, Tara  
Young, Harry

Butynski, William  
Mann, John  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

**GRAFTON**

Almy, Susan  
Doolan, Ralph Jr  
Higgins, Patricia  
Nordgren, Sharon  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Lauer, Linda  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Friedrich, Carol  
Lovett, Sid  
Smith, Suzanne

Cooney, Mary  
Harding, Laurie  
Mulholland, Catherine  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Connor, Evelyn  
Gale, Sylvia  
Hansberry, Daniel  
Jeudy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Peter  
Winters, Joel

Beaulieu, Jane  
Carroll, Douglas  
Cote, David  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Flaherty, Tim  
Rosenwald, Cindy  
Smith, Timothy  
Vaillancourt, Steve  
Woodbury, David

Belanger, James  
Chandley, Shannon  
DiSilvestro, Linda  
Grady, Brenda  
Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Brown, Pamela  
Christiansen, Lars  
Gage, Ruth  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Moffett, Howard

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Patten, Dick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Ratzki, Mario

Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Schamberg, Thomas  
Turcotte, Alan

### ROCKINGHAM

Borden, David  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Muns, Chris  
Till, Mary

Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Pantelakos, Laura  
Ward, Gerald

Cali-Pitts, Jacqueline  
Heffron, Frank  
McKinney, Betsy  
Schlachman, Donna  
Wazlaw, Brian

Cushing, Robert Jr  
Hoelzel, Kathleen  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Gardner, Janice  
Grossman, Kenneth  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Berube, Roger  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Spang, Judith

Burke, Rachel  
Gray, James  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

Irwin, Virginia  
Sweeney, Cynthia

### NAYS 122

### BELKNAP

Burchell, Richard  
Greemore, Robert Jr  
Worsman, Colette

Comtois, Guy  
Sylvia, Michael

Cormier, Jane  
Tilton, Franklin

Fields, Dennis  
Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
Morrow, Harry  
Wright, Donald

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

### CHESHIRE

Emerson, Susan

Johnson, Jane

### COOS

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bradley, Lester  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

Reilly, Harold Sr

### HILLSBOROUGH

Barry, Richard  
Coffey, James  
Gagne, Larry  
Hikel, John  
LeBrun, Donald  
Murphy, Keith  
Ober, Russell III  
Pratt, Calvin  
Stroud, Kathleen  
Willette, Robert

Boehm, Ralph  
Daniels, Gary  
Graham, John  
Jasper, Shawn  
McCarthy, Michael  
Murphy, Kelleigh  
Palmer, Stephen  
Rowe, Robert  
Sweeney, Shawn

Burt, John  
Danielson, David  
Haefner, Robert  
Kurk, Neal  
Meaney, Richard  
Notter, Jeanine  
Pellegrino, Tony  
Sandblade, Emily  
Takesian, Charlene

Byron, Frank  
Flanagan, Jack  
Hansen, Peter  
Lambert, George  
Murotake, David  
Ober, Lynne  
Peterson, Lenette  
Straight, Philip  
Villeneuve, Moe



**MERRIMACK**

Kotowski, Frank  
Smith, Todd

Lockwood, Priscilla  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Lundgren, David  
Perkins, Lawrence  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Allen, Mary  
Birdsell, Regina  
Copeland, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Itse, Daniel  
Major, Norman  
Priestley, Anne  
St.James, Kevin  
Tremblay, Stella

Baldasaro, Alfred  
Charron, Gene  
Danaïs, Romeo  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Kappler, Lawrence  
Mitz, David  
Rice, Frederick  
Sytek, John  
Waterhouse, Kevin

Belanger, Ronald  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Khan, Aboul  
O'Connor, John  
Sanders, Elisabeth  
Tamburello, Daniel  
Webb, James Sr

**STRAFFORD**

Bickford, David  
Pitre, Joseph

Groen, Warren

Jones, Laura

Parsons, Robbie

**SULLIVAN**

Grenier, James

Rollins, Skip

and the majority committee report was adopted and ordered to third reading.

**HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. **WITHOUT RECOMMENDATION.**

**Statement in support of Ought to Pass:** Rep. Jeffrey P. Goley.

This bill allows a member of Group II who was injured on the job and retired on a disability pension, to earn an income without restriction once years of service combined with years of receiving pension benefits reaches the age and years of service requirements that would have been needed to retire as a Group II member. Currently, the disability payment must be returned dollar for dollar, after a certain cap on earnings is reached. Had the member not been injured on the job, he or she would not have a cap on earnings in addition to the person had they been able to work the necessary time required to retire. The language of this bill was in statute and in effect for 2009 and 2010 until it was repealed by HB 2 during the budget process and without a hearing in 2011. Supporters of the bill believe, as a matter of fundamental fairness, that a Group II member who is retired on disability should not have limitations on the income they earn just as those who have worked until retirement have no limitations on income they earn. Currently, the provision covers at most 13 persons, and there was concern about the treatment of these individuals who had been affected by multiple rules changes.

**Statement in support of Inexpedient to Legislate:** Rep. Carol McGuire.

Limiting outside earnings for individuals receiving disability pensions is normal practice, both in private disability pensions and the NHRS from its inception until 2009. This bill attempts to repeal this limit, completely and in perpetuity, for Group II disability pensioners who could be retired if they had not been disabled. While sensitive to the very few individuals who enjoyed a 2 year reprieve from this limit, opponents of the bill are concerned that having no limit is inappropriate. We need to explore a less than 1 for 1 clawback, limiting the exemption to current retirees, considering a cap on benefits, and other issues involved in disability retirements.

Rep. Goley moved Ought to Pass.

Rep. Carol McGuire spoke against.

Rep. Weyler spoke in favor and yielded to questions.

(Rep. Kaen in the Chair)

**MOTION TO LAY ON THE TABLE**

Rep. Hansen moved that **HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system, be laid on the table.

On a division vote, 93 members having voted in the affirmative and 183 in the negative, the motion failed.

The question now being adoption of the motion of Ought to Pass.

On a division vote, 181 members having voted in the affirmative and 97 in the negative, the motion was adopted and ordered to third reading.

**HB 141**, relative to training for new executive branch commissioners. **INEXPEDIENT TO LEGISLATE.**

Rep. Lucy M. Weber for Executive Departments and Administration: This bill would have instructed the office of the governor to provide orientation and training materials in a number of listed areas to each new executive branch commissioner. The committee was persuaded by testimony that existing commissioners were working with each other and with the new governor to provide necessary training tailored to the needs and experience of each new commissioner. The majority was unpersuaded of the need for a new statutory mandate and was concerned about improper intrusion on the operations of the executive branch. Vote 13-4.

Committee report adopted.

**HB 364**, requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Howard M. Moffett for the Majority of Executive Departments and Administration: This bill is intended to reduce confusion among retired members of the retirement system who work part-time or apply to work part-time for a town or other participating employer, but who may not realize that part-time work in excess of the hourly limitations in RSA 100-A:1, XXXIV (32 hours/week, or up to 1300 hours/year) will jeopardize their existing retirement system benefits under RSA 100-A:7. The bill requires participating employers to provide notice to applicants for part-time employment prior to employment, and to existing part-time employees annually, if they are retired members of the retirement system. The form of the notice is to be provided by the retirement system. Participating employers who provide the required notice may not be held liable for any consequences to an employee resulting from the employee's restoration of service on account of exceeding the hourly limits in RSA 100-A:1, XXXIV. The retirement system itself is also required to provide notice annually to all retired members of the retirement system. Vote 12-7.

Rep. Frank A. Byron for the Minority of Executive Departments and Administration: The majority, by recommending this bill, have placed additional obligations on municipalities to notify New Hampshire Retirement System (NHRA) retirees of their work hours limitations. By creating this municipal obligation there is a potential liability owned by the municipality should a retiree violate the work limit requirements. This municipal liability would not exist without this bill.

### Majority Amendment (0678h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to notice required concerning employment of a retired member of the New Hampshire retirement system of the limitations on part-time employment.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Retirement System; Part Time Employment; Notices Required. Amend RSA 100-A by inserting after section 7 the following new section:

100-A:7-a Certain Part-time Employment; Notices Required.

I. An employer shall provide written notice of the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV and the potential effect that exceeding such hourly limitations could have on the retired member's retirement benefits because of restoration to service as required in RSA 100-A:7, as follows:

(a) Prior to employment and as part of employment documentation, to any prospective employee who is a retired member of the retirement system.

(b) Annually, to each existing part-time employee who is a retired member of the retirement system.

II. The executive director shall provide employers the form of such notices required in paragraph I.

III. An employer who provides the notices required in paragraph I shall not be held liable for any consequences to the employee resulting from the employee's restoration of service due to exceeding the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV.

IV. The retirement system shall annually provide written notice to all retired members of the retirement system of the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV and the potential effect that exceeding such hourly limitations could have on the retired member's retirement benefits because of restoration to service as required in RSA 100-A:7.

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill requires New Hampshire retirement system employers to notify existing and prospective part-time employees, who are retired members in the retirement system, of the annual limitations on hours for part-time employment. The bill also requires the retirement system to provide similar notice to all retired members.

Rep. Moffett spoke in favor and yielded to questions.

#### (Speaker Norelli in the Chair)

On a division vote, 242 members having voted in the affirmative and 38 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Byron offered floor amendment (0898h).

#### Floor Amendment (0898h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to notice required concerning employment of a retired member of the New Hampshire retirement system of the limitations on part-time employment.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Retirement System; Part Time Employment; Notice Required. Amend RSA 100-A by inserting after section 7 the following new section:

100-A:7-a Certain Part-time Employment; Notice Required. The retirement system shall annually provide written notice to all retired members of the retirement system of the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV and the potential effect that exceeding such hourly limitations could have on the retired member's retirement benefits because of restoration to service as required in RSA 100-A:7.

2 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill requires the New Hampshire retirement system to annually notify retired members in the retirement system of the annual limitations on hours for part-time employment with retirement system employers.

Rep. Byron spoke in favor and yielded to questions.

Rep. Copeland spoke against.

On a division vote, 120 members having voted in the affirmative and 162 in the negative, floor amendment (8098h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Baldasaro requested a roll call; sufficiently seconded.

#### YEAS 194 NAYS 89

#### YEAS 194

#### BELKNAP

DiMartino, Lisa  
Worsman, Colette

Greemore, Robert Jr

Gulick, Ruth

Huot, David

#### CARROLL

Buco, Thomas  
Ticehurst, Susan

Lavender, Tom  
Umberger, Karen

McConkey, Mark  
White, Syndi

Nelson, Bill

#### CHESHIRE

Ames, Richard  
Eaton, Daniel

Berch, Paul  
Emerson, Susan

Butynski, William  
Ley, Douglas

Chase, Cynthia  
Mann, John

Parkhurst, Henry  
Tatro, Bruce

Robertson, Timothy  
Weber, Lucy

Sad, Tara  
Young, Harry

Shepardson, Marjorie

## COOS

Coulombe, Gary  
Moynihn, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

## GRAFTON

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Mulholland, Catherine  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Nordgren, Sharon  
Townsend, Charles

Cooney, Mary  
Higgins, Patricia  
Piper, Wendy  
White, Andrew

## HILLSBOROUGH

Backus, Robert  
Campbell, David  
Connor, Evelyn  
Gage, Ruth  
Grady, Brenda  
Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

Barry, Richard  
Carroll, Douglas  
Cote, David  
Gale, Sylvia  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
Murotake, David  
Palmer, Stephen  
Schmidt, Janice  
Spratt, Stephen  
Takesian, Charlene  
Woodbury, David

Beaulieu, Jane  
Chandlee, Shannon  
Danielson, David  
Garcia, Michael  
Hansberry, Daniel  
Judy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Nelson, Mary  
Porter, Marjorie  
Shattuck, Gilman  
Straight, Philip  
Walsh, Robert Jr

Brown, Pamela  
Christiansen, Lars  
DiSilvestro, Linda  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McCarthy, Michael  
Notter, Jeanine  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

## MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
McGuire, Carol  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

## ROCKINGHAM

Borden, David  
Dumaine, Dudley  
Hagan, Joseph  
Moody, Marcia  
Perkins, Lawrence  
Tamburello, Daniel  
Weyler, Kenneth

Cali-Pitts, Jacqueline  
Elliott, Robert  
Heffron, Frank  
Muns, Chris  
Rice, Frederick  
Till, Mary  
Whittemore, Lisa

Copeland, Timothy  
Ferrante, Beverly  
Lovejoy, Patricia  
O'Connor, John  
Schlachman, Donna  
Ward, Gerald

Cushing, Robert Jr  
Flockhart, Eileen  
Mann, Maureen  
Pantelakos, Laura  
St.James, Kevin  
Wazlaw, Brian

## STRAFFORD

Baber, William  
Gardner, Janice  
Horrigan, Timothy  
Menear, H. Robert III  
Perry, Robert  
Spang, Judith

Bickford, David  
Ginsburg, Philip  
Kaen, Naida  
Miller, David  
Rogers, Rose Marie  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Ketel, Stephen  
Parsons, Robbie  
Schmidt, Peter  
Wall, Janet

Burke, Rachel  
Grossman, Kenneth  
Malloy, Dennis  
Pelletier, Marsha  
Smith, Marjorie

## SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

Irwin, Virginia  
Sweeney, Cynthia

### NAYS 89 BELKNAP

Burchell, Richard  
Tilton, Franklin

Comtois, Guy  
Vadney, Herbert

Cormier, Jane

Fields, Dennis

### CARROLL

Ahlgren, Christopher  
Schmidt, Stephen

Chandler, Gene  
Wright, Donald

Cordelli, Glenn

Morrow, Harry

### CHESHIRE

Johnson, Jane

### COOS

Rideout, Leon

### GRAFTON

Bradley, Lester  
Lauer, Linda

Doolan, Ralph Jr  
Reilly, Harold Sr

Gionet, Edmond

Ladd, Rick Jr

### HILLSBOROUGH

Belanger, James  
Coffey, James  
Graham, John  
Jasper, Shawn  
Murphy, Keith  
Pratt, Calvin  
Villeneuve, Moe

Boehm, Ralph  
Daniels, Gary  
Haefner, Robert  
Kurk, Neal  
Murphy, Kelleigh  
Sandblade, Emily  
Willette, Robert

Burt, John  
Flanagan, Jack  
Hansen, Peter  
LeBrun, Donald  
Parison, James  
Sweeney, Shawn

Byron, Frank  
Gagne, Larry  
Hikel, John  
Meaney, Richard  
Pellegrino, Tony  
Vaillancourt, Steve

### MERRIMACK

Lockwood, Priscilla

McGuire, Dan

Walsh, Thomas IV

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Emerick, J. Tracy  
Gordon, Richard  
Hoelzel, Kathleen  
Major, Norman  
Sedensky, John  
Waterhouse, Kevin

Allen, Mary  
Birdsell, Regina  
Danais, Romeo  
Fesh, Robert  
Griffin, Mary  
Itse, Daniel  
Milz, David  
Sytek, John  
Webb, James Sr

Baldasaro, Alfred  
Charron, Gene  
Devine, James  
Garcia, Bianca  
Harris, Jeffrey  
Kappler, Lawrence  
Priestley, Anne  
Thompson, David

Belanger, Ronald  
Chirichiello, Brian  
Duarte, Joe  
Garcia, Marilinda  
Hodgdon, Bruce  
Khan, Aboul  
Sanders, Elisabeth  
Tremblay, Stella

### STRAFFORD

Gray, James

Groen, Warren

Jones, Laura

Pitre, Joseph

### SULLIVAN

Grenier, James

Rollins, Skip

and the majority committee report was adopted and ordered to third reading.

### SPECIAL ORDERED

Without objection, the Speaker made the remainder of bills on today's calendar be Special Ordered to the next Session day in their Regular Calendar order.

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be

read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, March 27, 2013 at 10:00 a.m.  
Adopted.

### LATE SESSION

#### Third reading and final passage

**HB 346**, establishing a committee to study low-profit limited liability companies.

**HB 390**, allowing companion dogs in the outdoor areas of restaurants.

**HB 575**, relative to hours of sales of on-premises liquor licensees.

**HB 443-FN**, prohibiting prison privatization.

**HB 621-FN**, decriminalizing possession of one quarter of an ounce or less of marijuana.

**HB 624-FN**, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire.

**HB 595-FN**, relative to photo identification of voters.

**HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system.

**HB 364**, relative to notice required concerning employment of a retired member of the New Hampshire retirement system of the limitations on part-time employment.

### UNANIMOUS CONSENT

Reps. Schuett and Harding addressed the House.

### MOTION TO PRINT REMARKS

Rep. Gary Richardson moved that the remarks made by Rep. Schuett be printed in the Permanent Journal.

Adopted.

### REMARKS

**Rep. Schuett:** We are here to tell you something nice about someone that we see here every Session day. Someone you all know. Someone who's always telling us to "take our conversations out of the hall" or stopping us from rushing in, in the middle of a Roll Call, but always politely. This person happens to come from Pembroke, the District we represent. This person is John Theuner. Could you step over here? What you don't know about John is that he is the Assistant Fire Chief in Pembroke and he was recognized last Saturday at our Town Meeting for 50 years of service on our Fire Department. He would insist that we tell you that our Chief, Harold Paulsen was also recognized for 50 years of service. That's a total of 100 years of service from 2 great people. Pembroke is very lucky to have the two of them. Frank Davis has a small token of thanks for John and we just wanted you all to know that the folks who work here contribute to our towns and our state in many different ways.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Adopted.

The House recessed at 4:45 p.m.

### RECESS

#### (Speaker Norelli in the Chair)

Rep. Kaen moved that the House adjourn.

Adopted.

## HOUSE JOURNAL No. 13

Wednesday, March 27, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

I began the day with a small ceremony of Footwashing. It's based on the story of Jesus at the Last Supper taking a moment to wash the feet of his disciples. It is one of the pivotal stories of the importance of serving our fellow human beings, and let me tell you, when you're washing someone else's feet, you can't help but draw near to their lives, their journeys, and their pain. I have some good news! I'm not going to ask you to wash one another's feet. I'm just going to ask you to pray with me a prayer that I've put in the first person, remembering your own call to service, and beginning with a moment of silence.

O Holy God, sometimes You reveal Yourself to me in vast displays of ocean, sky, and cosmic motion. At other times, You make Yourself known to me when I draw near enough to someone else to see their calloused feet, or sense their thirst, or feel the weight on their shoulders. Either way, thank You for both. For in both instances, You remind me that there is more to this life than my own concerns, my own needs. Much more. Far more. And I am always made better for the realization. Humble me when it is humbling I need. Teach me to serve with a thankful heart and not a closed one. Open my eyes to the needs of both my friends and my enemies, and teach me again what children at play seem to know; a human being, is a human being, and worthy of our largest smile and our greatest work. In Your Holy name. Amen.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former House Speaker from Whitefield, the Honorable Harold Burns.

Representative Kathleen Hoelzel, member from Raymond, led the Pledge of Allegiance.

Representative Chris Muns, member from Hampton, led the singing of the National Anthem.

### LEAVES OF ABSENCE

Reps. Cote, Jane Hunt, Rokas and Carol Williams, the day, illness.

Reps. Richard Eaton, Kolodziej, Kotowski, Lavender, Lundgren, Moody, Mullen, Pratt, Rhodes and Tremblay, important business.

### INTRODUCTION OF GUESTS

Hunter Taylor, Ruth Larson and Bill Morse, guests of Rep. Burchell. Sheila Peterson and Justin Wood, daughter and guest of Rep. Peterson. Rick Zeller, son-in-law of Rep. Lockwood. Stephen Root, husband of Rep. Ebel.

### CONSENT CALENDAR

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**HB 316-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains, removed by Rep. Kappler.

**HB 344-FN-L**, relative to aid to school districts for the cost of special education, removed by Rep. Ladd. Consent Calendar adopted.

Rep. Whittemore declared a conflict of interest on **HB 570-FN** and did not participate in the vote on the Consent Calendar.

**HB 246**, relative to falsity by employer. **OUGHT TO PASS.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: This bill passed the Labor Committee 19-0 and the House on Consent Calendar. It came to Criminal Justice and Public

Safety Committee since a penalty is involved. The committee learned that no change of penalties is involved. A Class A misdemeanor in cases involving less than \$500 by the employer; a Class A felony, if more than \$1,000 is involved, and a Class B felony, if the amount of benefits involved is between \$500 and \$1,000. This is in line with other penalties and the committee has no problems with the bill. Vote 17-0.

**HB 399-FN**, establishing the New Hampshire liberty act. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: After passing the House 337-15, this bill came to the committee since a penalty is involved. Considerable comments arose, many of which were beyond the scope of the committee. As a compromise, the committee voted to remove the two lines dealing with the penalty. They merely stated that violators could be prosecuted to the full extent of New Hampshire law which is the case with all laws and need not be specifically stated here. Vote 11-0.

#### **Amendment (1030h)**

Amend RSA 646-B:1 as inserted by section 2 of the bill by replacing it with the following:

646-B:1 Support of National Defense Authorization Act Prohibited. The state of New Hampshire shall not provide material support or participate in any way with the implementation of Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012 within the boundaries of this state. The department of safety is hereby directed to report to the governor and the legislature any attempt by agencies or agents of the United States government to secure the implementation of Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012 through the operations of that or any other state department.

**HB 686**, relative to governor and council approval of state contracts. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P. Goley for Executive Departments and Administration: The bill, as amended, will require the liquor commission to get lease and contract agreements for stores and warehouses approved by the attorney general and, in the case of a contract, approval by the governor and council as well as the attorney general, before becoming effective. The liquor commission will continue to be exempt from going to governor and council for the purchase of supplies, materials, goods, and services for the purpose of day to day operations. This will allow the liquor commission the flexibility to take advantage of buying opportunities while ensuring that long-term contracts have oversight by the governor and council. Vote 12-0.

#### **Amendment (1029h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to approval of liquor commission contracts.

Amend the bill by replacing all after the enacting clause with the following:

1 Purchase of Supplies; Liquor Commission. Amend RSA 21-I:18, I(b) to read as follows:

(b) The liquor commission is [completely] exempted from the provisions of this chapter, provided that the liquor commission uses competitive bidding when acquiring consumable supplies, materials, goods, and services that are necessary for, incidental to, or related to the operation of the liquor commission.

2 Liquor Commission; State Stores. Amend RSA 177:1 to read as follows:

177:1 State Stores. The commission may lease, purchase, and equip, in the name of the state, such stores, warehouses, supplies, materials, equipment, products, and other marketing and merchandising requirements for the sale or promotion of liquor and related products as are necessary to carry out the provisions of this chapter. The commission may lease, in the name of the state, space in state stores for the purpose of installing automated teller machines. *Any lease or contract made pursuant to this section shall be approved by the attorney general and, in the case of a contract, by the governor and council as well as the attorney general, before becoming effective.* No newly established state store shall be operated within 200 feet of any public or private school, church, chapel, or parish house.

3 Effective Date. This act shall take effect upon its passage.

#### **AMENDED ANALYSIS**

This bill requires any lease or contract made by the liquor commission to be approved by the attorney general, and contracts made by the liquor commission to be approved by the governor and council and the attorney general.



**HB 131-FN-L**, relative to payment for medical services for county prisoners. **INEXPEDIENT TO LEGISLATE.**

Rep. Cindy Rosenwald for Finance: The subject matter of this bill is also addressed in HB 432. The committee decided to go forward with HB 432 instead, so HB 131 is not necessary. Vote 22-0.

**HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding. **OUGHT TO PASS.**

Rep. Susan M. Ford for Finance: This bill authorizes a city or town to conduct a special meeting necessitated by changes in adequate education funding. There have been times in the past when towns and cities have finalized budgets only to discover that the adequacy grant number has changed. This bill will help the towns and cities. Vote 22-0.

**HB 570-FN**, relative to school building aid grant eligibility for the White Mountain Regional school district. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan M. Ford for Finance: This bill would exempt the White Mountains Regional School District from the moratorium on school building aid grants. Since the local bond issue to build a new career and technical education center failed, this bill is no longer necessary. Vote 23-0.

**HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit. **OUGHT TO PASS.**

Rep. Martin L. Jack for Public Works and Highways: The Public Works and Highways committee, as the second committee, considered only section 1 of the bill dealing with construction contracts. Often, federal military construction funding is offered to the adjutant general, and if not accepted immediately, will be offered to another state. Under RSA 21-I:80, the bureau of public works and the capital budget oversight committee must be consulted for oversight and approval of large state construction projects, to ensure compliance with all necessary design and bidding standards. This procedure introduces a delay that often causes funding to be lost. The adjutant general and several other agencies possess equivalent in-house design engineering expertise. Therefore, this bill creates an exemption to allow the adjutant general to authorize construction on state military facilities with federal funds. The bill was previously reported Ought to Pass with Amendment from the State-Federal Relations and Veterans Affairs committee on a unanimous vote, and passed the House on the consent calendar. Vote 20-0.

**HB 184-FN**, relative to the oil discharge cleanup fund. **OUGHT TO PASS.**

Rep. Richard Ames for Ways and Means: This bill addresses two areas. First, it amends RSA 146-F:2, II to define "motor oil storage facility" to mean a location of storage tanks with a combined capacity not to exceed 45,000 gallons. Testimony before Ways and Means confirmed the Resources, Recreation and Development recommendation on this bill. This legislation is needed to ensure that motor oil discharge cleanup funds will only be used to address releases from the smaller storage facilities and not those facilities with a potential for catastrophic release. A catastrophic release from a facility larger than 45,000 gallons would deplete the cleanup fund. Larger companies normally carry insurance to cover such spills and expressed no opposition to this change in the existing law. Vote 18-0.

**HB 259-FN**, relative to special licenses for taking lobster while engaged in recreational scuba diving. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Patrick F. Abrami for Ways and Means: This bill sets the fee for scuba divers, who are residents of NH and take no more than five lobsters per day during the month of September, at \$35. The committee felt that this fee, which is at the same level as a recreational lobster and crab license which limits the number of recreational traps to five, to be reasonable. Vote 18-0.

#### **Amendment (0973h)**

Amend RSA 211:18, III-c (a) as inserted by section 2 of the bill by replacing it with the following:

III-c.(a) For a \$35 fee, a resident who wishes to engage in scuba diving as a recreational activity and not for the purpose of commerce, and who is in compliance with RSA 270:31 through 270:32-a, and has attained 18 years of age, shall be permitted to take lobsters under a special scuba diver lobster license issued by the executive director. The executive director shall make available a number of scuba diver lobster licenses that is equivalent to the number of recreational lobster and crab licenses available each calendar year under subparagraph III(a).

**HB 304-FN**, relative to OHRV registration transfer fees, removing the penalty of completion of a training program for certain OHRV and snowmobile violations, and deleting OHRV and snowmobile vanity plates or decals. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David B. Karrick for Ways and Means: The bill makes technical corrections to existing registration fee structures for OHRV transfer fees, removes the penalty of completion of a training program for certain OHRV and snowmobile violations, and deletes the program issuing vanity plates or decals. The amendment changes the effective date for elimination of vanity plates and decals to July 1, 2013 to correspond with the agency's fiscal year. Vote 18-0.

#### **Amendment (0955h)**

Amend the bill by replacing section 3 with the following:

3 Effective Date.

I. Section 2 of this act shall take effect July 1, 2013.

II. The remainder of this act shall take effect upon its passage.

**HB 507-FN**, relative to the maximum permit application fee for certain municipal dredging projects. **OUGHT TO PASS.**

Rep. Laurie J. Sanborn for Ways and Means: This bill caps the application fee for municipal dredging projects to restore a lake or pond to \$10,000, as it is for similar tidal dredging projects, instead of using a per square foot calculation. The fiscal impact on the state is expected to be negligible. Vote 16-0.

**HB 652-FN**, relative to the judicial branch information technology fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank W. Davis for Ways and Means: This bill was requested by the Supreme Court to fund the maintenance costs of the e-court project, bringing the court information technology system into the 21st century. It increased the filing fee to the judicial information technology fund account from 14 percent to 30 percent. The committee amendment reduces the percentage of filing fees from court entry fees being paid into the court facilities escrow account from seven percent to six percent. The court will adjust its fees to be revenue neutral, and the reduction to six percent will make this increase smaller. Vote 17-1.

#### **Amendment (1024h)**

Amend the bill by replacing all after section 1 with the following:

2 Supreme Court; Entry Fees. Amend RSA 490:24, I to read as follows:

I. For the benefit of the state, there shall be paid to the clerk for the entry of every reserved case, bill of exceptions, petition, appeal, or other action, for the filing of every motion or other document supplementary to the entered case, and for any service rendered by the clerk, such fees as shall from time to time be established by the court. The clerk shall set aside [7] 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and [14] 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid into the law library revolving fund established in RSA 490:25, III.

3 Judicial Branch Family Division; Entry Fees. Amend RSA 490-D:12, II to read as follows:

II. Fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of the applicable circuit court established in RSA 490-F for the benefit of the state. The clerk shall set aside [7] 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and [14] 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid into the law library revolving fund established in RSA 490:25, III.

4 Superior Court; Entry Fees. Amend RSA 499:18, II to read as follows:

II. Fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of the applicable circuit court established in RSA 490-F for the benefit of the state. The clerk shall set aside [7] 6 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and [14] 30 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid into the law library revolving fund established in RSA 490:25, III.

5 District Court; Entry Fees. Amend RSA 502-A:28, II to read as follows:

II. The clerk shall set aside [7] **6** percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and [~~14~~] **30** percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid into the law library revolving fund established in RSA 490:25, III.

6 Probate Court, Entry Fees. Amend RSA 547:27-c, II to read as follows:

II. The clerk shall set aside [7] **6** percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and [~~14~~] **30** percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid into the law library revolving fund established in RSA 490:25, III.

7 Escrow Fund for Court Facility Improvements; Entry Fees. Amend RSA 490:26-c, I to read as follows:

I. [~~Seven~~] **Six** percent of each entry fee collected in the judicial branch family division and in the supreme, district, superior, and probate courts shall be deposited in escrow for court facility improvements. Moneys in the escrow fund shall be used for improvements to existing facilities by the department of administrative services as recommended and approved by the supreme court.

8 Effective Date. This act shall take effect July 1, 2013.

#### AMENDED ANALYSIS

This bill increases the percentage of court filing fees to be deposited in the judicial branch information technology fund and decreases the percentage of such fees to be deposited in the escrow fund for court facility improvements.

#### REGULAR CALENDAR

##### SPECIAL ORDER

**HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Steve Vaillancourt for the Majority of Criminal Justice and Public Safety: This bill, which has been a focus of much attention and a lengthy hearing in Reps Hall, came to the committee with three sections. The committee, in an attempt to reach compromise which balances rights of freedom with safety interests of society, always a delicate balance, accepted an amendment which eliminates two of the three sections of the bill. All that remains is section one which repeals what is widely referred to as the stand your ground provision which was passed last year. This bill does not prevent anyone from owning or carrying guns. It simply takes us back to the practice that was in effect for more than three decades (and was never challenged in court) which affirms that a person is not justified in using deadly force on another if he or she can retreat from the encounter. Note that nothing about the bill prevents one from using deadly force if retreat is not deemed possible. Also note that the person is not required to retreat if the incident occurs on his or her private property. Thus, the castle doctrine is left intact. The committee believes a legitimate difference can and should be drawn between actions in defense of one's home and actions in common or public areas. The committee amendment removes the controversial section (two), referred to by some as the "brandishing" section in recognition of the Ward Bird case. In other words, what Ward Bird did in the famous case would still be legal because it was in regard to his own property. The committee, in concurrence with the sponsor, also removed section three which would have repealed a statute relative to civil immunity for the use of force. In other words, civil immunity will remain for those using force. Many reasons were stated for retaining section one of the bill; the most salient being that ours would be a safer society if people are not encouraged to use guns on the street as a first resort. Some committee members thought of times when they ran into problems on the street, problems which were resolved but could well have escalated had they or those around them attempted to draw weapons. The majority understands that some will not be happy with passage of even a single section of this bill, but the amendment should be seen as a compromise that most should be able to live with. Vote 12-6.

Rep. Kyle J. Tasker for the Minority of Criminal Justice and Public Safety: The minority feels this bill has no demonstrable merit and it would be foolish to change the law every two years without giving current law a chance to demonstrate results. This body is not so fickle as to remove a right once granted.

**Majority Amendment (0341h)**

Amend the bill by deleting sections 2 and 3 and renumbering the original section 4 to read as 2.

**AMENDED ANALYSIS**

This bill eliminates the provision allowing a person to use deadly force anywhere he or she has a right to be.

On a division vote, 217 members having voted in the affirmative and 115 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Itse offered floor amendment (1031h).

**Floor Amendment (1031h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to physical force in defense of a person and relative to the state's liability for lost income of any person who is physically injured or killed as a result of retreating or attempting to retreat.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Paragraph; Physical Force in Defense of a Person; State Liability for Lost Income. Amend RSA 627:4 by inserting after paragraph III the following new paragraph:

IV. Notwithstanding any law to the contrary, the state shall be liable for all lost income of any person who is physically injured or killed as a result of retreating or attempting to retreat pursuant to paragraph III. The person who is physically injured or such person's legal representative, or the executor or administrator of the decedent's estate, or a family member of the decedent, may bring a civil action against the state in any superior court in the state to recover lost income.

**AMENDED ANALYSIS**

This bill:

I. Eliminates the provision allowing a person to use deadly force anywhere he or she has a right to be.

II. Permits civil suits against the state to recover lost income by any person physically injured or killed as a result of retreating or attempting to retreat.

Rep. Gary Richardson spoke against.

Rep. Itse spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 103 NAYS 254**

**YEAS 103****BELKNAP**

Burchell, Richard  
Flanders, Donald  
Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Luther, Robert

**CARROLL**

Chandler, Gene  
Umberger, Karen

Crawford, Karel  
Wright, Donald

McConkey, Mark

Nelson, Bill

**CHESHIRE**

Hunt, John

**COOS**

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Reilly, Harold Sr

Bradley, Lester

Brown, Rebecca

Gionet, Edmond

**HILLSBOROUGH**

Boehm, Ralph  
Coffey, James  
Gidge, Kenneth  
Jasper, Shawn  
Marston, Dick  
Murphy, Keith  
Pellegrino, Tony  
Soucy, Timothy  
Willette, Robert

Burt, John  
Culbert, Patrick  
Haefner, Robert  
Kurk, Neal  
McCarthy, Michael  
Murphy, Kelleigh  
Peterson, Lenette  
Stroud, Kathleen

Cebrowski, John  
Danielson, David  
Hikel, John  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Renzullo, Andrew  
Sweeney, Shawn

Christiansen, Lars  
Flanagan, Jack  
Hopper, Gary  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Sandblade, Emily  
Villeneuve, Moe

**MERRIMACK**

Hess, David  
Smith, Todd

Hoell, J.R.

McGuire, Dan

Reed, Dennis

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Danais, Romeo  
Dumaine, Dudley  
Garcia, Marilinda  
Itse, Daniel  
Peckham, Michele  
Sedensky, John  
Waterhouse, Kevin

Allen, Mary  
Bishop, Franklin  
DeSimone, Debra  
Elliott, Robert  
Gordon, Richard  
Khan, Aboul  
Rice, Frederick  
Sweeney, Joe

Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Harris, Jeffrey  
McMahon, Charles  
Sanders, Elisabeth  
Tamburello, Daniel

Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Garcia, Bianca  
Hodgdon, Bruce  
Oigny, Jeffrey  
Sapareto, Frank  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Pitre, Joseph

Groen, Warren

Jones, Laura

Parsons, Robbie

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS 254****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis  
Vadney, Herbert

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

Cordelli, Glenn  
White, Syndi

Morrow, Harry

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Lerandean, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Emerson, Susan  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Butynski, William  
Johnsen, Gladys  
Mann, John  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Rappaport, Laurence

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Doolan, Ralph Jr

Almy, Susan  
Ford, Susan

Benn, Bernard  
Friedrich, Carol

Cooney, Mary  
Harding, Laurie

Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Lovett, Sid  
Pastor, Beatriz  
Sykes, George

### HILLSBOROUGH

Backus, Robert  
Boisvert, Ronald  
Carroll, Douglas  
DiSilvestro, Linda  
Garcia, Michael  
Grady, Brenda  
Hansberry, Daniel  
Hinch, Richard  
Knowles, Mary Ann  
Long, Patrick  
McCloskey, David  
O'Flaherty, Tim  
Parison, James  
Sanborn, Laurie  
Smith, Timothy  
Sullivan, Peter  
Walsh, Robert Jr  
Woodbury, David

Barry, Richard  
Brown, Pamela  
Chandley, Shannon  
Gage, Ruth  
Garrrity, Patrick  
Graham, John  
Hansen, Peter  
Infantine, William  
Kopka, Angeline  
MacKay, Mariellen  
McNamara, Richard  
Ober, Lynne  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Takesian, Charlene  
Warden, Mark

Beaulieu, Jane  
Byron, Frank  
Connor, Evelyn  
Gagne, Larry  
Goley, Jeffrey  
Hackel, Paul  
Harriott-Gathright, Linda  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
Nelson, Mary  
Ober, Russell III  
Rosenwald, Cindy  
Shattuck, Gilman  
Straight, Philip  
Vail, Suzanne  
Williams, Kermit

Belanger, James  
Campbell, David  
Daniels, Gary  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Judy, Jean  
Levesque, Melanie  
Martel, Andre  
O'Brien, Michael Sr  
Palmer, Stephen  
Rowe, Robert  
Shaw, Barbara  
Sullivan, Daniel  
Vaillancourt, Steve  
Winters, Joel

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
McGuire, Carol  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
MacKay, James  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Copeland, Timothy  
Fesh, Robert  
Griffin, Mary  
Helmstetter, Barbara  
Major, Norman  
Nigrello, Robert  
Perkins, Amy  
Schlachman, Donna  
Thompson, David  
Webb, James Sr

Belanger, Ronald  
Cahill, Michael  
Cushing, Robert Jr  
Flockhart, Eileen  
Hagan, Joseph  
Hoelzel, Kathleen  
Mann, Maureen  
O'Connor, John  
Perkins, Lawrence  
Sherman, Thomas  
Till, Mary  
Weyler, Kenneth

Borden, David  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Friel, William  
Hayes, Jack  
Kappler, Lawrence  
Milz, David  
Packard, Sherman  
Priestley, Anne  
St.James, Kevin  
Ward, Gerald  
Whittemore, Lisa

Briden, Steven  
Charron, Gene  
Ferrante, Beverly  
Grace, Curtis  
Heffron, Frank  
Lovejoy, Patricia  
Muns, Chris  
Pantelakos, Laura  
Scarlottio, Joe  
Sytek, John  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Stevens, Audrey

Berube, Roger  
Burke, Rachel  
Gray, James  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Verschuere, James

Bickford, David  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Lefebvre, Benjamin	O'Hearne, Andrew	Sweeney, Cynthia	

and floor amendment (1031h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Itse offered floor amendment (1033h).

**Floor Amendment (1033h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to physical force in defense of a person, and relative to the state's liability for attorney's fees and court costs of any person against whom legal action is brought for failing to retreat.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 New Paragraph; Physical Force in Defense of a Person; State Liability for Attorney's Fees and Court Costs. Amend RSA 627:4 by inserting after paragraph III the following new paragraph:

IV. Notwithstanding any law to the contrary, the state shall be liable for all attorney's fees and court costs of any person against whom a civil or criminal action is brought for failing to retreat pursuant to paragraph III and such person is acquitted or found not liable.

**AMENDED ANALYSIS**

This bill:

I. Eliminates the provision allowing a person to use deadly force anywhere he or she has a right to be.

II. Provides that the state shall be liable for all attorney's fees and court costs for any person against whom a civil or criminal action is brought and who is acquitted of, or found not liable for, failing to retreat as required under law.

Rep. Gary Richardson spoke against.

Rep. Itse spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 146 NAYS 213**

**YEAS 146****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fink, Charles
Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen	Luther, Robert
Sylvia, Michael	Tilton, Franklin	Worsman, Colette	

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	Crawford, Karel	McConkey, Mark
Morrow, Harry	Nelson, Bill	Schmidt, Stephen	Umberger, Karen
White, Syndi	Wright, Donald		

**CHESHIRE**

Hunt, John	Johnson, Jane	Roberts, Kris
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**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond
Ladd, Rick Jr	Reilly, Harold Sr		

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Coffey, James	Culbert, Patrick
Daniels, Gary	Flanagan, Jack	Garcia, Michael	Gidge, Kenneth

Graham, John  
Hinch, Richard  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Sweeney, Shawn

Haefner, Robert  
Infantine, William  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Renzullo, Andrew  
Soucy, Timothy  
Villeneuve, Moe

Hansen, Peter  
Jasper, Shawn  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James  
Rowe, Robert  
Straight, Philip  
Willette, Robert

Hikel, John  
Kurk, Neal  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Stroud, Kathleen

### MERRIMACK

Hoell, J.R.  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

Reed, Dennis

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Danais, Romeo  
Dumaine, Dudley  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
Sweeney, Joe  
Tucker, Pamela

Allen, Mary  
Bishop, Franklin  
DeSimone, Debra  
Elliott, Robert  
Garcia, Marilinda  
Hagan, Joseph  
Itse, Daniel  
McMahon, Charles  
Oigny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Sytek, John  
Waterhouse, Kevin

Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Kappler, Lawrence  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroadter, Adam  
Tamburello, Daniel  
Webb, James Sr

Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Grace, Curtis  
Hodgdon, Bruce  
Khan, Aboul  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Parsons, Robbie

Bickford, David  
Pitre, Joseph

Groen, Warren

Jones, Laura

### SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

### NAYS 213

### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis  
Vadney, Herbert

Gulick, Ruth

### CARROLL

Buco, Thomas

Butler, Edward

Cordelli, Glenn

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

### COOS

Coulombe, Gary  
Theberge, Robert

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Moynihan, Wayne

### GRAFTON

Aguiar, James  
Cooney, Mary

Almy, Susan  
Ford, Susan

Benn, Bernard  
Friedrich, Carol

Brown, Rebecca  
Harding, Laurie



Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Connor, Evelyn  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Schmidt, Janice  
Spratt, Stephen  
Vail, Suzanne  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
Danielson, David  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Judy, Jean  
Levesque, Melanie  
McCloskey, David  
O'Flaherty, Tim  
Shattuck, Gilman  
Sullivan, Daniel  
Vaillancourt, Steve  
Winters, Joel

Boisvert, Ronald  
Chandlee, Shannon  
DiSilvestro, Linda  
Garnity, Patrick  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Peter  
Walsh, Robert Jr  
Woodbury, David

Brown, Pamela  
Christiansen, Lars  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Hopper, Gary  
Kopka, Angeline  
MacKay, Mariellen  
Nelson, Mary  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene  
Warden, Mark

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Copeland, Timothy  
Flockhart, Eileen  
Helmstetter, Barbara  
Muns, Chris  
Sherman, Thomas  
Wazlaw, Brian

Belanger, Ronald  
Cahill, Michael  
Cushing, Robert Jr  
Friel, William  
Lovejoy, Patricia  
Pantelakos, Laura  
St.James, Kevin  
Whittemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Hayes, Jack  
Major, Norman  
Scarlottio, Joe  
Till, Mary

Briden, Steven  
Charron, Gene  
Fesh, Robert  
Heffron, Frank  
Mann, Maureen  
Schlachman, Donna  
Ward, Gerald

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Verschuieren, James

Berube, Roger  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale

Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
and floor amendment (1033h) failed.

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Irwin, Virginia

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
 Reps. Peterson, Burt, Burchell and Rideout spoke against.  
 Reps. Cormier, Hoell and Baldasaro spoke against and yielded to questions.  
 Reps. Ginsburg, Shurtleff and Vaillancourt spoke in favor.  
 Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 189 NAYS 184****YEAS 189****BELKNAP**

Arsenault, Beth  
 Raymond, Ian

DiMartino, Lisa

Fields, Dennis

Huot, David

**CARROLL**

Butler, Edward

Ticehurst, Susan

White, Syndi

**CHESHIRE**

Ames, Richard  
 Chase, Cynthia  
 Ley, Douglas  
 Roberts, Kris  
 Tatrow, Bruce

Berch, Paul  
 Eaton, Daniel  
 Mann, John  
 Robertson, Timothy  
 Weber, Lucy

Burridge, Delmar  
 Johnsen, Gladys  
 Parkhurst, Henry  
 Sad, Tara  
 Weed, Charles

Butynski, William  
 Lerandeau, Alfred  
 Phillips, Larry  
 Shepardson, Marjorie  
 Young, Harry

**COOS**

Coulombe, Gary  
 Moynihan, Wayne

Enman, Larry  
 Theberge, Robert

Hammon, Marcia  
 Thomas, Yvonne

Hatch, William

**GRAFTON**

Aguiar, James  
 Ford, Susan  
 Lauer, Linda  
 Nordgren, Sharon  
 Sykes, George

Almy, Susan  
 Friedrich, Carol  
 Lovett, Sid  
 Pastor, Beatriz  
 Townsend, Charles

Benn, Bernard  
 Harding, Laurie  
 Massimilla, Linda  
 Piper, Wendy  
 White, Andrew

Cooney, Mary  
 Higgins, Patricia  
 Mulholland, Catherine  
 Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
 Campbell, David  
 DiSilvestro, Linda  
 Gorman, Mary  
 Hansberry, Daniel  
 Katsiantonis, Thomas  
 Levasseur, Nickolas  
 Manley, Jonathan Sr  
 O'Brien, Michael Sr  
 Shattuck, Gilman  
 Sullivan, Peter  
 Williams, Kermit

Beaulieu, Jane  
 Carroll, Douglas  
 Gage, Ruth  
 Grady, Brenda  
 Harriott-Gathright, Linda  
 Knowles, Mary Ann  
 Levesque, Melanie  
 McCloskey, David  
 Porter, Marjorie  
 Smith, Timothy  
 Vail, Suzanne  
 Woodbury, David

Booras, Efstathia  
 Chandley, Shannon  
 Gale, Sylvia  
 Hackel, Paul  
 Heden, Ruth  
 Kopka, Angeline  
 Long, Patrick  
 McNamara, Richard  
 Rosenwald, Cindy  
 Spratt, Stephen  
 Vaillancourt, Steve

Brown, Pamela  
 Connor, Evelyn  
 Garrity, Patrick  
 Hammond, Jill  
 Jeudy, Jean  
 Leishman, Peter  
 MacKay, Mariellen  
 Nelson, Mary  
 Schmidt, Janice  
 Sullivan, Daniel  
 Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta  
 Carson, Clyde  
 French, Barbara  
 Karrick, David Jr  
 Moffett, Howard  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walz, Mary Beth

Andrews, Christopher  
 Davis, Frank  
 Gile, Mary  
 Kelly, Sally  
 Myler, Mel  
 Rogers, Katherine  
 Tilton, Joy  
 Watrous, Rick

Bartlett, Christy  
 Ebel, Karen  
 Henle, Paul  
 Kidder, David  
 Ratzki, Mario  
 Schamberg, Thomas  
 Turcotte, Alan  
 Webb, Leigh

Bouchard, Candace  
 Frazer, June  
 Hirsch, Geoffrey  
 MacKay, James  
 Rice, Chip  
 Schuett, Dianne  
 Wallner, Mary Jane

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
 Cahill, Michael  
 Flockhart, Eileen  
 Mann, Maureen  
 Schlachman, Donna  
 Wazlaw, Brian

Borden, David  
 Cali-Pitts, Jacqueline  
 Heffron, Frank  
 Muns, Chris  
 Sherman, Thomas  
 Whittemore, Lisa

Briden, Steven  
 Cushing, Robert Jr  
 Helmstetter, Barbara  
 Pantelakos, Laura  
 Till, Mary

Burtis, Elizabeth  
 Emerson-Brown, Rebecca  
 Lovejoy, Patricia  
 Scarlotto, Joe  
 Ward, Gerald

**STRAFFORD**

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Kaen, Naida  
 Miller, David  
 Schmidt, Peter  
 Stevens, Audrey

Berube, Roger  
 Gardner, Janice  
 Hooper, Dorothea  
 Ketel, Stephen  
 Perry, Robert  
 Smith, Marjorie  
 Verschueren, James

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

**SULLIVAN**

Cloutier, John  
 Lefebvre, Benjamin

Gagnon, Raymond  
 O'Hearne, Andrew

Gottling, Suzanne  
 Schmidt, Andrew

Irwin, Virginia  
 Sweeney, Cynthia

**NAYS 184****BELKNAP**

Burchell, Richard  
 Flanders, Donald  
 Luther, Robert  
 Worsman, Colette

Comtois, Guy  
 Greemore, Robert Jr  
 Sylvia, Michael

Cormier, Jane  
 Gulick, Ruth  
 Tilton, Franklin

Fink, Charles  
 Holmes, Stephen  
 Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
 Crawford, Karel  
 Schmidt, Stephen

Buco, Thomas  
 McConkey, Mark  
 Umberger, Karen

Chandler, Gene  
 Merrow, Harry  
 Wright, Donald

Cordelli, Glenn  
 Nelson, Bill

**CHESHIRE**

Emerson, Susan

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
 Gionet, Edmond

Bradley, Lester  
 Ladd, Rick Jr

Brown, Rebecca  
 Reilly, Harold Sr

Doolan, Ralph Jr  
 Shackett, Jeffrey

**HILLSBOROUGH**

Barry, Richard  
 Burt, John  
 Coffey, James  
 Flanagan, Jack  
 Gidge, Kenneth  
 Hansen, Peter  
 Infantine, William  
 Lambert, George  
 Martel, Andre  
 Murphy, Keith  
 O'Flaherty, Tim  
 Parison, James  
 Rowe, Robert

Belanger, James  
 Byron, Frank  
 Culbert, Patrick  
 Gagne, Larry  
 Goley, Jeffrey  
 Hikel, John  
 Jack, Martin  
 LeBrun, Donald  
 McCarthy, Michael  
 Murphy, Kelleigh  
 O'Flaherty, Tim  
 Pellegrino, Tony  
 Sanborn, Laurie

Boehm, Ralph  
 Cebrowski, John  
 Daniels, Gary  
 Garcia, Michael  
 Graham, John  
 Hinch, Richard  
 Jasper, Shawn  
 LeVasseur, Richard  
 Meaney, Richard  
 Notter, Jeanine  
 Ober, Russell III  
 Peterson, Lenette  
 Sandblade, Emily

Boisvert, Ronald  
 Christiansen, Lars  
 Danielson, David  
 Gargas, Carolyn  
 Haefner, Robert  
 Hopper, Gary  
 Kurk, Neal  
 Marston, Dick  
 Murotake, David  
 O'Brien, William  
 Palmer, Stephen  
 Renzullo, Andrew  
 Shaw, Barbara

Soucy, Timothy  
Takesian, Charlene  
Willette, Robert

Straight, Philip  
Ulery, Jordan  
Winters, Joel

Stroud, Kathleen  
Villeneuve, Moe

Sweeney, Shawn  
Warden, Mark

### MERRIMACK

Burns, Scott  
Hoell, J.R.  
Patten, Dick

Carey, Lorrie  
Lockwood, Priscilla  
Reed, Dennis

Frambach, Mary  
McGuire, Carol  
Smith, Todd

Hess, David  
McGuire, Dan  
Walsh, Thomas IV

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Kappler, Lawrence  
McMahon, Charles  
Oigny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Thompson, David  
Weyler, Kenneth

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Khan, Aboul  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroadter, Adam  
Sytek, John  
Tucker, Pamela

Baldasaro, Alfred  
Bishop, Franklin  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Tamburello, Daniel  
Waterhouse, Kevin

Belanger, Ronald  
Charron, Gene  
Danaïs, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Tasker, Kyle  
Webb, James Sr

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

### SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

Tanner, Linda

and the majority committee report was adopted and ordered to third reading.

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Gary Richardson moved that the House reconsider its action whereby, on a roll call vote of 189-184, the House adopted the majority committee report of Ought to Pass with Amendment on **HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 175 NAYS 198**

### YEAS 175

#### BELKNAP

Burchell, Richard  
Flanders, Donald  
Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

Fink, Charles  
Luther, Robert  
Worsman, Colette

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
White, Syndi

Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

Roberts, Kris

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**Bailey, Brad  
Ladd, Rick JrBradley, Lester  
Reilly, Harold SrDoolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

**HILLSBOROUGH**Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Renzullo, Andrew  
Shaw, Barbara  
Sweeney, Shawn  
Warden, MarkBelanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Rowe, Robert  
Soucy, Timothy  
Takesian, Charlene  
Willette, RobertBoehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gargas, Carolyn  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Straight, Philip  
Ulery, JordanBurt, John  
Coffey, James  
Flanagan, Jack  
Gidge, Kenneth  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Villeneuve, Moe**MERRIMACK**Burns, Scott  
McGuire, Carol  
Walsh, Thomas IVHess, David  
McGuire, DanHoell, J.R.  
Reed, DennisLockwood, Priscilla  
Smith, Todd**ROCKINGHAM**Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Kappler, Lawrence  
McMahon, Charles  
Oigny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Thompson, David  
Weyler, KennethAllen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Khan, Aboul  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroader, Adam  
Sytek, John  
Tucker, PamelaBaldasaro, Alfred  
Bishop, Franklin  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Tamburello, Daniel  
Waterhouse, KevinBelanger, Ronald  
Charron, Gene  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Tasker, Kyle  
Webb, James Sr**STRAFFORD**Beaudoin, Steven  
Jones, LauraBickford, David  
Parsons, RobbieGray, James  
Pitre, Joseph

Groen, Warren

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS 198****BELKNAP**Arsenault, Beth  
Huot, DavidDiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Ames, Richard

Chase, Cynthia

Ley, Douglas

Robertson, Timothy

Weber, Lucy

Berch, Paul

Eaton, Daniel

Mann, John

Sad, Tara

Weed, Charles

Burridge, Delmar

Johnsen, Gladys

Parkhurst, Henry

Shepardson, Marjorie

Young, Harry

Butynski, William

Lerandeau, Alfred

Phillips, Larry

Tatro, Bruce

**COOS**

Coulombe, Gary

Moynihan, Wayne

Enman, Larry

Theberge, Robert

Hammon, Marcia

Thomas, Yvonne

Hatch, William

**GRAFTON**

Aguir, James

Cooney, Mary

Higgins, Patricia

Mulholland, Catherine

Smith, Suzanne

Almy, Susan

Ford, Susan

Lauer, Linda

Nordgren, Sharon

Sykes, George

Benn, Bernard

Friedrich, Carol

Lovett, Sid

Pastor, Beatriz

Townsend, Charles

Brown, Rebecca

Harding, Laurie

Massimilla, Linda

Piper, Wendy

White, Andrew

**HILLSBOROUGH**

Backus, Robert

Brown, Pamela

Connor, Evelyn

Garrry, Patrick

Hackel, Paul

Heden, Ruth

Knowles, Mary Ann

Levesque, Melanie

McCloskey, David

Porter, Marjorie

Smith, Timothy

Vail, Suzanne

Winters, Joel

Beaulieu, Jane

Campbell, David

DiSilvestro, Linda

Goley, Jeffrey

Hammond, Jill

Jack, Martin

Kopka, Angeline

Long, Patrick

McNamara, Richard

Rosenwald, Cindy

Spratt, Stephen

Vaillancourt, Steve

Woodbury, David

Boisvert, Ronald

Carroll, Douglas

Gage, Ruth

Gorman, Mary

Hansberry, Daniel

Judy, Jean

Leishman, Peter

MacKay, Mariellen

Nelson, Mary

Schmidt, Janice

Sullivan, Daniel

Walsh, Robert Jr

Booras, Efstathia

Chandley, Shannon

Gale, Sylvia

Grady, Brenda

Harriott-Gathright, Linda

Katsiantonis, Thomas

Levasseur, Nickolas

Manley, Jonathan Sr

O'Brien, Michael Sr

Shattuck, Gilman

Sullivan, Peter

Williams, Kermit

**MERRIMACK**

Alicia, Caroletta

Carey, Lorrie

Frambach, Mary

Henle, Paul

Kidder, David

Patten, Dick

Rogers, Katherine

Tilton, Joy

Watrous, Rick

Andrews, Christopher

Carson, Clyde

Frazer, June

Hirsch, Geoffrey

MacKay, James

Ratzki, Mario

Schamberg, Thomas

Turcotte, Alan

Webb, Leigh

Bartlett, Christy

Davis, Frank

French, Barbara

Karrick, David Jr

Moffett, Howard

Rice, Chip

Schuett, Dianne

Wallner, Mary Jane

Bouchard, Candace

Ebel, Karen

Gile, Mary

Kelly, Sally

Myler, Mel

Richardson, Gary

Shurtleff, Stephen

Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine

Cahill, Michael

Flockhart, Eileen

Mann, Maureen

Schlachman, Donna

Wazlaw, Brian

Borden, David

Cali-Pitts, Jacqueline

Heffron, Frank

Muns, Chris

Sherman, Thomas

Whittemore, Lisa

Briden, Steven

Cushing, Robert Jr

Helmstetter, Barbara

Pantelakos, Laura

Till, Mary

Burtis, Elizabeth

Emerson-Brown, Rebecca

Lovejoy, Patricia

Scarlotta, Joe

Ward, Gerald

**STRAFFORD**

Baber, William

Burke, Rachel

Berube, Roger

Gardner, Janice

Bixby, Peter

Ginsburg, Phillip

Burdwood, Greg

Grassie, Anne

Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Hubbard, Pamela  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

and the motion failed.

### REGULAR CALENDAR (CONT'D)

#### SPECIAL ORDER

**HB 451-FN**, repealing the license requirement for carrying a concealed pistol or revolver. **INEX-PEDIENT TO LEGISLATE.**

Rep. Laura C. Pantelakos for Criminal Justice and Public Safety: The majority of the committee believes this bill is unnecessary because current law regarding the issuance of concealed carry permits is sufficient. The present system ensures that local police departments do not issue licenses to persons that should not have them. Vote 14-4.

Rep. Hoell spoke against.

Reps. Burt and Sylvia spoke against and yielded to questions.

Rep. Cushing spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

### YEAS 226 NAYS 144

#### YEAS 226

#### BELKNAP

Arsenault, Beth  
Gulick, Ruth

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald

#### CARROLL

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
White, Syndi

Morrow, Harry

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

#### COOS

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

#### HILLSBOROUGH

Backus, Robert  
Brown, Pamela

Beaulieu, Jane  
Campbell, David

Boisvert, Ronald  
Chandley, Shannon

Booras, Efstathia  
Connor, Evelyn

DiSilvestro, Linda  
 Garrity, Patrick  
 Grady, Brenda  
 Harriott-Gathright, Linda  
 Katsiantonis, Thomas  
 Levasseur, Nickolas  
 Manley, Jonathan Sr  
 Nelson, Mary  
 Rosenwald, Cindy  
 Shaw, Barbara  
 Sullivan, Daniel  
 Vaillancourt, Steve

Gage, Ruth  
 Gidge, Kenneth  
 Hackel, Paul  
 Heden, Ruth  
 Knowles, Mary Ann  
 Levesque, Melanie  
 Martel, Andre  
 O'Brien, Michael Sr  
 Rowe, Robert  
 Smith, Timothy  
 Sullivan, Peter  
 Walsh, Robert Jr

Gale, Sylvia  
 Goley, Jeffrey  
 Hammond, Jill  
 Jack, Martin  
 Kopka, Angeline  
 Long, Patrick  
 McCloskey, David  
 Porter, Marjorie  
 Schmidt, Janice  
 Soucy, Timothy  
 Takesian, Charlene  
 Williams, Kermit

Gargas, Carolyn  
 Gorman, Mary  
 Hansberry, Daniel  
 Jeudy, Jean  
 Leishman, Peter  
 MacKay, Mariellen  
 McNamara, Richard  
 Ramsey, Peter  
 Shattuck, Gilman  
 Spratt, Stephen  
 Vail, Suzanne  
 Woodbury, David

### MERRIMACK

Alicea, Caroletta  
 Carey, Lorrie  
 Frambach, Mary  
 Henle, Paul  
 Kidder, David  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walz, Mary Beth

Bartlett, Christy  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Lockwood, Priscilla  
 Patten, Dick  
 Rogers, Katherine  
 Tilton, Joy  
 Watrous, Rick

Bouchard, Candace  
 Davis, Frank  
 French, Barbara  
 Karrick, David Jr  
 MacKay, James  
 Ratzki, Mario  
 Schamberg, Thomas  
 Turcotte, Alan  
 Webb, Leigh

Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Kelly, Sally  
 Moffett, Howard  
 Rice, Chip  
 Schuett, Dianne  
 Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
 Briden, Steven  
 Charron, Gene  
 Emerson-Brown, Rebecca  
 Griffin, Mary  
 Lovejoy, Patricia  
 O'Connor, John  
 Priestley, Anne  
 St.James, Kevin  
 Whittemore, Lisa

Andrews-Ahearn, E. Elaine  
 Burtis, Elizabeth  
 Copeland, Timothy  
 Fesh, Robert  
 Hayes, Jack  
 Mann, Maureen  
 Oligny, Jeffrey  
 Scarlotto, Joe  
 Till, Mary

Belanger, Ronald  
 Cahill, Michael  
 Cushing, Robert Jr  
 Flockhart, Eileen  
 Heffron, Frank  
 Muns, Chris  
 Pantelakos, Laura  
 Schlachman, Donna  
 Ward, Gerald

Borden, David  
 Cali-Pitts, Jacqueline  
 Elliott, Robert  
 Grace, Curtis  
 Helmstetter, Barbara  
 Nigrello, Robert  
 Peckham, Michele  
 Sherman, Thomas  
 Wazlaw, Brian

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Kaen, Naida  
 Miller, David  
 Schmidt, Peter  
 Stevens, Audrey

Berube, Roger  
 Gardner, Janice  
 Hooper, Dorothea  
 Ketel, Stephen  
 Perry, Robert  
 Smith, Marjorie  
 Verschueren, James

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

### SULLIVAN

Cloutier, John  
 Lefebvre, Benjamin  
 Tanner, Linda

Gagnon, Raymond  
 O'Hearne, Andrew

Gottling, Suzanne  
 Schmidt, Andrew

Irwin, Virginia  
 Sweeney, Cynthia

### NAYS 144

### BELKNAP

Burchell, Richard  
 Greemore, Robert Jr  
 Tilton, Franklin

Comtois, Guy  
 Holmes, Stephen  
 Vadney, Herbert

Cormier, Jane  
 Luther, Robert  
 Worsman, Colette

Fink, Charles  
 Sylvia, Michael

### CARROLL

Ahlgren, Christopher  
 Nelson, Bill

Chandler, Gene  
 Umberger, Karen

Cordelli, Glenn  
 Wright, Donald

McConkey, Mark



**CHESHIRE**

Hunt, John	Johnson, Jane
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**COOS**

Coulombe, Gary	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond
Ladd, Rick Jr	Massimilla, Linda	Reilly, Harold Sr	

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Flanagan, Jack
Gagne, Larry	Garcia, Michael	Graham, John	Haefner, Robert
Hansen, Peter	Hikel, John	Hinch, Richard	Hopper, Gary
Infantine, William	Jasper, Shawn	Kurk, Neal	Lambert, George
LeBrun, Donald	LeVasseur, Richard	Marston, Dick	McCarthy, Michael
Meaney, Richard	Murotake, David	Murphy, Keith	Murphy, Kelleigh
Notter, Jeanine	O'Brien, William	O'Flaherty, Tim	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Parison, James	Pellegrino, Tony
Peterson, Lenette	Renzullo, Andrew	Sanborn, Laurie	Sandblade, Emily
Straight, Philip	Stroud, Kathleen	Sweeney, Shawn	Uleny, Jordan
Villeneuve, Moe	Warden, Mark	Willette, Robert	Winters, Joel

**MERRIMACK**

Andrews, Christopher	Hess, David	Hoell, J.R.	McGuire, Carol
McGuire, Dan	Reed, Dennis	Walsh, Thomas IV	

**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Bick, Patrick	Birdsell, Regina
Chirichiello, Brian	Comerford, Timothy	Danais, Romeo	DeSimone, Debra
Devine, James	Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy
Ferrante, Beverly	Friel, William	Garcia, Bianca	Garcia, Marilinda
Gordon, Richard	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	Khan, Aboul
McKinney, Betsy	McMahon, Charles	Milz, David	Packard, Sherman
Perkins, Amy	Perkins, Lawrence	Rice, Frederick	Sanders, Elisabeth
Sapareto, Frank	Schroadter, Adam	Sedensky, John	Sweeney, Joe
Sytek, John	Tamburello, Daniel	Tasker, Kyle	Thompson, David
Tucker, Pamela	Waterhouse, Kevin	Webb, James Sr	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Gray, James	Groen, Warren
Jones, Laura	Parsons, Robbie	Pitre, Joseph	

**SULLIVAN**

Grenier, James	Rollins, Skip	Smith, Steven
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and the committee report was adopted.

**SPECIAL ORDER**

**HB 619-FN**, prohibiting images of a person's residence to be taken from the air. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: Admittedly, New Hampshire may be the first state to pass a bill of this kind, but by a wide margin, the committee believes that we should be proud in going where no state has gone before. In fact, this bill could well become a model for other states when it comes to regulating drones which, more and more as technology advances, could pose a threat to individual privacy. The amendment is carefully crafted and thorough in defining

air space, drones, and other items referred to in the body of the bill. The goal is to prevent images of a person's residence to be taken from the air by drones which can be extremely small and are now increasingly available, at a very cheap cost. The committee is alarmed to think that a person could use one of these devices to invade a neighbor's privacy. We delight in being in the forefront of stopping Big Brother from making inroads here. At the same time, wording is careful so as to not ban aerial photos, taken by drones, of properties when no faces are recognizable. While this bill might be difficult to enforce, so too are many other laws we pass, and as publicity spreads on the progress of this bill, the committee expects many positive results, if not in the next month or year, then certainly in the mid and long term. Vote 16-2.

#### **Amendment (0448h)**

Amend the title of the bill by replacing it with the following:

AN ACT regulating the use of drones.

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Drones. Amend RSA by inserting after chapter 644 the following new chapter:

#### **CHAPTER 644-A**

#### **DRONES**

644-A:1 Definitions. In this chapter:

I. "Airspace" means the space above the ground in New Hampshire that is not part of airspace governed by federal law.

II. "Drone" means an unmanned flying machine that is capable of:

(a) Capturing images or sounds of objects or people on the ground, in or about buildings or structures, or in the air;

(b) Intercepting communications on the ground, in or about buildings and structures, or in the air; or

(c) Firing a bullet, LASER-type ray, other projectile or any kind of lethal or non-lethal weapon.

III. "Government" means federal, state and local agencies and departments and any political subdivisions thereof, including employees, agents and contractors.

IV. "Individual" means a living human being.

V. "Information" means any evidence, images, sounds, or data gathered by a drone.

VI. "Person" means individuals, corporations, organizations, for-profit and not-for-profit entities, excluding the government.

VII. "Surveillance" means the act of monitoring, observing, photographing, taking images of, listening to, or making a recording of:

(a) A recognizable individual or a group of individuals or their movements, activities, and communications; or

(b) The interior of a building or structure.

644-A:2 Use of Drones Prohibited; Exceptions.

I.(a) No government shall use a drone in this state; provided, however, that such prohibition shall not apply:

(1) To counter a high risk of a terrorist attack by a specific person if the United States Secretary of Homeland Security determines that credible intelligence indicates there is that risk.

(2) If a government first obtains a search warrant based on probable cause signed by a judge authorizing the use of a drone. The warrant shall be limited to a particular person or location and limited to a particular investigation. The warrant shall be limited to a period of 45 days. Within 10 days after the warrant expires, the law enforcement agency shall serve a copy of the warrant on the person subject to drone surveillance, except that a judge may delay notice upon a showing of reason to believe that the notice would jeopardize an ongoing investigation.

(3) If a government possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent harm to life or serious damage to property, or to forestall the imminent escape of a suspect, or the destruction of evidence. The use of a drone under subparagraph (c) shall be limited to a period of 48 hours. Within 24 hours of the initiation of the use of a drone under this subparagraph (c), the government shall report in writing the use of a drone to the attorney general.

(4) If a government obtains the prior, written consent of the person who is the subject of the surveillance and the owner or lessee of the property which is the subject of the surveillance.

(b) If a government uses a drone under this paragraph, it shall within 24 hours permanently destroy all information gathered by the drone other than that relating directly to the purpose for which the warrant was obtained.

(c) Evidence obtained by a government through the use of a drone in violation of this paragraph shall not be admissible in any judicial or administrative proceeding and shall not be used to establish reasonable suspicion or probable cause to believe that an offense has been committed.

II. No person shall use a drone to conduct surveillance without the prior, written consent of each affected individual or other person and each owner or possessor of affected buildings or structures. It shall not be a defense to a charge of violating this chapter that the property, including buildings, structures or land, below the airspace was not marked with a no-trespassing sign or similar notice.

III. No government or person shall own or use a drone that is equipped with a bullet, LASER-ray, other projectile or any kind of lethal or non-lethal weapon.

IV. No person shall use a drone for the purpose of hunting or stalking game.

V. Any government or person that owns, uses, or exercises control over a drone in this state that causes injury to a person or property shall be strictly liable for the injury.

644-A:3 Reporting Requirement. A government that owns or operates one or more drones shall on each July 1st report in writing to the attorney general the number of drones it owns, leases, and uses and the number of times each was used during the prior year.

644-A:4 Penalties.

I. Each individual, including a government employee, agent, and contractor, who violates RSA 644-A:2, I shall be guilty of a class B felony.

II. Each person, including a government employee, agent, and contractor, who violates RSA 644-A:2, III shall be guilty of a class A felony.

III. A government that violates RSA 644-A:2, I or III shall be subject to a civil penalty of up to \$10,000 which shall be deposited in the general fund of the state.

IV. Each person who violates RSA 644-A:2, II shall be guilty of a class A misdemeanor.

V. Each person who violates RSA 644-A:2, IV shall be guilty of a class B misdemeanor.

VI. Any person who suffers injury caused by a drone operated in violation of this chapter shall be entitled to damages from the person or government that committed the violation of not less than \$5,000 and an award of reasonable attorney fees.

VII. In addition to any other remedies allowed by law, a person who gains unauthorized control over a drone shall be liable to the owner of the drone in an amount of not less than \$5,000 and an award of reasonable attorney fees.

2 Effective date. This act shall take effect July 1, 2013.

### AMENDED ANALYSIS

This bill prohibits, with limited exceptions, the use of drones by state agencies and individuals. It establishes criminal penalties and civil remedies for violations of the law.

### LAI'D ON THE TABLE

Rep. Berch moved that **HB 619-FN**, prohibiting images of a person's residence to be taken from the air, be laid on the table.

On a division vote, 278 members having voted in the affirmative and 87 in the negative, the motion was adopted.

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bill numbered 57.

Rep. Shurtleff, Sen. Prescott for the Committee

The House recessed at 12:33 p.m.

### RECESS

The House reconvened at 1:35 p.m.

(Speaker Norelli in the Chair)

### REGULAR CALENDAR (CONT'D)

**HB 420**, establishing orange, red, and yellow as the state colors. **OUGHT TO PASS.**

Rep. Romeo Danais for Executive Departments and Administration: This bill brings colors officially to New Hampshire. The children of 4th grade class, Freedom Elementary School, presented a very

colorful display of why yellow, orange and red – the colors of our magnificent fall foliage – should be our New Hampshire official colors. The discussion centered around how colorful New Hampshire is for tourists; the rich red colors of our native lobsters, the brilliant range of pumpkins and how important pumpkins are to our fall celebrations, the colors red, yellow and orange play so well in the centerpieces of our fall harvest tables. Indeed, New Hampshire celebrates these colors for all to enjoy, not only natives of New Hampshire but all the far away tourists who come to celebrate all that is New Hampshire in the fall. Vote 12-6.

### LAID ON THE TABLE

Rep. Andrew White moved that **HB 420**, establishing orange, red, and yellow as the state colors, be laid on the table.

On a division vote, 266 members having voted in the affirmative and 66 in the negative, the motion was adopted.

### REGULAR CALENDAR (CONT'D)

**HB 398-FN**, relative to leave time for certain state employees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel J. Sullivan for the Majority of Executive Departments and Administration: This bill would change the current law that allows health and human services employees who move from a classified position to an unclassified position to retain their accrued annual leave. The majority does not see a need to change the current practice, as it helps in retaining qualified employees by allowing health and human services to promote from within. Members of the majority recognize that a difference exists between the treatment of health and human services employees and employees of other departments. There was discussion of extending the current practice at health and human services to other departments, but the majority believed that, given current fiscal reality, now was not the time to extend the practice to other departments. Vote 11-9.

Rep. Carol M. McGuire for the Minority of Executive Departments and Administration: This bill, as amended, simply seeks to fix a disparity of benefits between some HHS employees and other state employees. An artifact of the 1995 reorganization of HHS, when many positions were involuntarily converted from classified (union eligible positions) to unclassified (appointed, not covered by normal personnel rules, usually but not always a management position), the law remains that an HHS classified employee taking an unclassified position in HHS can “bank” accumulated leave. State employees in other departments - or HHS employees taking an unclassified position in a different department - lose accumulated leave when they take an unclassified position. The minority believes this differential treatment is unfair, and this section of law should have sunset in 1996. The amendment, unanimously approved by the committee, ensures that employees who transitioned to unclassified positions in the past are not affected by this change. It remains true that classified and unclassified positions have different advantages and disadvantages, and every employee considering making this transition needs to balance the advantages and disadvantages in their particular case.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Reps. Lynne Ober and Carol McGuire spoke against.

Rep. Goley spoke in favor and yielded to questions.

On a division vote, 182 members having voted in the affirmative and 177 in the negative, the majority committee report was adopted.

### SPECIAL ORDERED

Without objection, the Speaker made **HB 617-FN-A-L**, increasing the rate of the road toll and establishing the New Hampshire state and municipal road and bridge account, a Special Order as the next order of business.

### SPECIAL ORDER

**HB 617-FN-A-L**, increasing the rate of the road toll and establishing the New Hampshire state and municipal road and bridge account. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Patricia T. Lovejoy for the Majority of Ways and Means: HB 617 was sent to Ways & Means as a second committee. After a four and half hour public hearing and extensive deliberations the committee recommends an amendment to the bill which accomplishes three things: First, it reduces

the proposed increase in the road toll for gasoline and diesel fuel from 15 cents to 12 cents, spreading the gas increase 4 cents per year over 3 years; for diesel the 12 cent increase will be spread out over 6 years -- 2 cents per year. At peak, it will raise \$92 million a year. Second, at the request of the Public Works & Highways Committee, all unrefunded road toll generated from the increased revenue will be deposited into the existing highway and bridge betterment account. This insures that in addition to the constitutional provision safeguarding road toll revenue for "highway purposes" and the NH state and municipal road and bridge account set up in the original HB 617, that ALL money generated from the increased road toll will be spent on state and local roads and bridges. Third, it reinstates the commission to study revenue alternatives to the road toll that was inadvertently terminated by prior legislation. New Hampshire's highway system is its economic lifeblood; supporting commerce, tourism and our everyday lives. A good infrastructure is imperative for NH to compete with other states for new business and new jobs. New Hampshire has an infrastructure crisis. The problem is getting worse and more expensive each year. The last time the gas tax was raised was 1991. During that time period the cost to pave one mile of highway has increased from \$18,000 to \$51,000. NH has the lowest gas tax in the northeast and the second lowest across the nation's "Frostbelt." As a point of information the state that had the lowest gas tax in the Frostbelt was Wyoming; on 2/15/13 Wyoming's Republican Governor signed into law a one-year increase from 14 cents to 24 cents per gallon tax. Today, by not properly investing in our roads and bridges, we face an infrastructure crisis, that is on its way to becoming a catastrophe. There are four major issues: First, the Interstate widening is \$250 million underfunded. Without new revenues that project will not be completed. Second, over 1/3 of our state roads are rated in poor condition (meaning major work is required). This number has almost tripled in just 12 years. NH has the 9th worst rural roads in the nation. Without new revenue the miles of state roads in poor condition will continue to grow, as will the cost to fix the problem. Third, is the condition of our bridges. NH has the 11th worst bridges in the country. There are currently 140 red listed bridges, (a red list bridge is a bridge with at least one structural defect). Without investing in bridges there will be over 200 on the red list by the year 2020. The state's number one red list bridge is the Sarah long bridge, connecting Portsmouth to Kittery, which will cost \$85 million to rebuild. Fourth, our municipalities are struggling with the same problems; roads in poor condition and 353 red listed bridges with 10-12 bridges being closed each year. With dwindling state aid, towns must rely on property taxes to fix problems that are simply too big for local taxpayers to bear. Once the increase is fully phased-in and, if every penny were to pass through to the consumer (which testimony indicates it will not), a NH motorist who drives 12,000 miles/ yr. at 22 MPG would pay about \$65 more per year. Those who drive less, pay less and those who use the roads more, pay more. That is the definition of a true user fee. Out-of-state drivers will contribute by purchasing millions of gallons of gas. Compare this \$65 cost to that in the recent study indicating that the average NH driver now pays \$323 a year in extra auto repairs due to bad roads. This bill saves the ordinary citizen money. It will have a direct positive impact by creating over 800 new jobs, and have an economic ripple effect as hundreds of millions of construction dollars are expended within NH's borders. Vote 11-7.

Rep. Laurie J. Sanborn for the Minority of Ways and Means: Raising the gas tax disproportionately hurts the hard working and lower income families in our state who are already struggling to make ends meet. It also harms small businesses, which must try to absorb these additional costs or pass them on to the consumer. Higher taxes discourage economic growth, not encourage it. While safe roads and bridges are important to the people of NH, we need to do a better job managing the money we already receive. This bill unfairly places the entire burden on our already overburdened taxpayers, at a time when the economy is still fragile and over 40,000 people are still looking for work.

### Majority Amendment (1035h)

Amend the title of the bill by replacing it with the following:

AN ACT increasing the rate of the road toll, establishing the New Hampshire state and municipal road and bridge account, and establishing the commission to study revenue alternatives to the road toll.

Amend the bill by replacing section 2 with the following:

2 Levy of Tolls and Exemptions. Amend the introductory paragraph of RSA 260:32 to read as follows:

260:32 Levy of Tolls and Exemptions. There is hereby imposed a road toll of \$.18 per gallon upon the sale of each gallon of motor fuel sold by distributors thereof. *The road toll on gasoline shall*

*increase to \$.22 per gallon beginning July 1, 2013; to \$.26 per gallon beginning July 1, 2014; and to \$.30 per gallon beginning July 1, 2015. The road toll on special fuel (diesel) shall increase to \$.20 per gallon on July 1, 2013; to \$.22 per gallon on July 1, 2014; to \$.24 per gallon on July 1, 2015; to \$.26 per gallon on July 1, 2016; to \$.28 per gallon on July 1, 2017; and to \$.30 per gallon on July 1, 2018. The road toll shall be collected by the distributor from the purchaser and remitted to the state in the manner hereinafter set forth. All amounts collected in excess of \$.18 per gallon shall be deposited on a monthly basis into the New Hampshire state and municipal road and bridge account established in RSA 260:32-a. Provided, that the road toll shall not apply to:*

Amend the bill by replacing all after section 6 with the following:

7 Road Toll; Exception. Amend RSA 260:60 to read as follows:

260:60 Exception.

**I.** Notwithstanding all other laws and rules to the contrary, annually, on or before June 1, the road toll administrator shall compare the number of gallons on which refunds have been made for the preceding calendar year for motor fuel used in the propulsion of boats on inland public waters of the state, with the number of gallons of such motor fuel sold and delivered directly into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors upon the inland public waters for use in such boats or outboards, based on the number of boats registered in the state at 100 gallons usage per boat, and if there is any balance of unrefunded tolls so collected, the administrator shall report the same to the comptroller who shall, on July 1, next following, *except as provided in paragraph II*, credit 1/2 of said balance to the general fund and credit 1/2 of said balance to the fish and game department. The funds credited to the fish and game department shall be used by said department to carry out its program and be accounted for as the fish and game fund is accounted for. Any funds credited to the fish and game department as above provided shall not lapse at the end of the fiscal year. The department shall pay monthly to the state treasurer all revenue from the aircraft landing area toll.

**II.** *Unrefunded tolls under paragraph I that resulted from any increase in the road toll over \$.18 per gallon shall be credited to the highway and bridge betterment account established in RSA 235:23-a.*

8 Road Tolls; Credit Provided; Liability Insurance. Amend RSA 260:61, I to read as follows:

**I.** Annually, on or before June 30, the comptroller shall transfer, from road tolls collected, an amount equal to the number of licensed OHRVs and snowmobiles for the previous year times the average number of gallons consumed per year per OHRV and snowmobile times the gasoline road toll imposed under RSA 260:32, less any amount refunded for OHRV and snowmobile use for the previous year, to the fish and game department and the bureau of trails as follows. The road toll administrator shall report to the comptroller if there is a balance of unrefunded road tolls collected. The administrator shall certify the amount to the comptroller who shall credit 1/2 of such balance to the bureau of trails for use as provided in paragraph I-a, and 1/2 of such balance to the fish and game department, *except that unrefunded tolls that resulted from any increase in the road toll over \$.18 per gallon shall be credited to the highway and bridge betterment account established in RSA 235:23-a.* For the purposes of this section, "the average number of gallons consumed per year per OHRV or snowmobile" is 100.

9 New Subdivision; Commission to Study Revenue Alternatives to the Road Toll. Amend RSA 21-J by inserting after section 47 the following new subdivision:

Commission to Study Revenue Alternatives to the Road Toll

21-J:48 Commission to Study Revenue Alternatives to the Road Toll.

**I.** There is established a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges.

**II.** (a) The members of the commission shall be as follows:

(1) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(2) Two members of the senate, appointed by the president of the senate.

(3) The commissioner of the department of revenue administration, or designee.

(4) The commissioner of the department of safety, or designee.

(5) The commissioner of the department of environmental services, or designee.

(6) The commissioner of the department of transportation, or designee.

(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

III. The commission shall study alternatives to the gas tax, through user taxes or fees, for funding improvements to the state's highways and bridges, ensuring that all motor vehicles contribute their fair share. The committee shall consider the interim report of the commission on the taxation of alternative fuel and electric-powered motor vehicles of November 1, 2012, track the programs developed in other states, and recommend legislation when an appropriate alternative is defined.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Three members of the commission shall constitute a quorum.

V. The commission shall submit annual reports of its findings and any proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1 of each year.

10 Effective Date.

I. Sections 1-8 of this act shall take effect July 1, 2013.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill:

I. Establishes the New Hampshire state and municipal road and bridge account.

II. Increases the road toll for gasoline and diesel fuel.

III. Provides for adjustment in payments by the department of transportation to municipalities for highway construction and reconstruction aid when such payments are based on estimated revenue.

IV. Credits the revenue from certain unrefunded tolls resulting from the increase in the road toll to the highway and bridge betterment account.

V. Establishes a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges.

On a division vote, 243 members having voted in the affirmative and 117 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. William O'Brien offered floor amendment (1127h).

### Floor Amendment (1127h)

Amend the title of the bill by replacing it with the following:

AN ACT establishing the allocation of gross appropriations from the highway fund.

Amend the bill by replacing all after the enacting clause with the following:

1 Allocation of Appropriations from the Highway Fund. Amend RSA 9:9-b to read as follows:

9:9-b Allocation of Gross Appropriations From Highway Fund. For each fiscal year of the biennium, gross highway fund appropriations net of highway block grant aid, shall be allocated in the operating budget as follows:

I. Department of transportation~~[including the office of information technology]~~: Not less than [73] 100 percent, *of which up to one percent shall be used for the supervision of traffic on public highways within this state.*

II. Department of safety: Not to exceed [26] zero percent.

III. Other projects that comply with part 2, article 6-a of the New Hampshire constitution, relative to the use of highway funds: Not to exceed [±] zero percent.

*IV. All revenue in excess of the necessary cost of collection and administration accruing to the state from registration fees, operators' licenses, gasoline road tolls, or any other special charges or taxes with respect to the operation of motor vehicles or the sale or consumption of motor vehicle fuels shall be credited to the highway fund. No expenditure by the department of transportation of funds in the highway fund shall be other than in compliance with part 2, article 6-a of the New Hampshire constitution, relative to the use of highway funds, and otherwise shall be limited exclusively for the construction, reconstruction, and maintenance of public highways within this state, including the supervision of traffic thereon and payment of the interest and principal of obligations incurred for said purposes; and no part of such revenues shall, by transfer of funds or otherwise, be diverted to any other purpose whatsoever.*

2 Effective Date. This act shall take effect July 1, 2013.

**AMENDED ANALYSIS**

This bill requires that all funds appropriated to the highway fund shall be used by the department of transportation for the construction, reconstruction, and maintenance of public highways within this state.

Reps. William O'Brien and Baldasaro spoke in favor.

Rep. Bouchard spoke against and yielded to questions.

Rep. Tucker requested a roll call; sufficiently seconded.

**YEAS 146 NAYS 217****YEAS 146****BELKNAP**

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Flanders, Donald  
Tilton, Franklin

Cormier, Jane  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Luther, Robert  
Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
Nelson, Bill

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
White, Syndi

Morrow, Harry  
Wright, Donald

**CHESHIRE**

Emerson, Susan

Hunt, John

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Garcia, Michael  
Hinch, Richard  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Ulery, Jordan  
Willette, Robert

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Graham, John  
Hopper, Gary  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Renzullo, Andrew  
Straight, Philip  
Vaillancourt, Steve  
Winters, Joel

Boehm, Ralph  
Christiansen, Lars  
Flanagan, Jack  
Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Rowe, Robert  
Sweeney, Shawn  
Villeneuve, Moe

Burt, John  
Coffey, James  
Gagne, Larry  
Hikel, John  
Lambert, George  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Sanborn, Laurie  
Takesian, Charlene  
Warden, Mark

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Walsh, Thomas IV

Kidder, David

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Hayes, Jack

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
Danais, Romeo  
Elliott, Robert  
Friel, William  
Grace, Curtis  
Hodgdon, Bruce

Belanger, Ronald  
Charron, Gene  
Devine, James  
Emerick, J. Tracy  
Garcia, Bianca  
Hagan, Joseph  
Hoelzel, Kathleen



Itse, Daniel  
McMahon, Charles  
Packard, Sherman  
Sapareto, Frank  
Sweeney, Joe  
Tucker, Pamela

Kappler, Lawrence  
Nigrello, Robert  
Peckham, Michele  
Scarlotta, Joe  
Sytek, John  
Waterhouse, Kevin

Khan, Aboul  
O'Connor, John  
Rice, Frederick  
Schroadter, Adam  
Tamburello, Daniel  
Webb, James Sr

McKinney, Betsy  
Oigny, Jeffrey  
Sanders, Elisabeth  
Sedensky, John  
Tasker, Kyle  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

### SULLIVAN

Rollins, Skip

Smith, Steven

### NAYS 217

### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

### CARROLL

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
Umberger, Karen

Crawford, Karel

McConkey, Mark

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Weber, Lucy

Burridge, Delmar  
Johnsen, Gladys  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnson, Jane  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

### COOS

Coulombe, Gary  
Moynihn, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

### GRAFTON

Aguilar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne

Beaulieu, Jane  
Campbell, David  
Danielson, David  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Jeudy, Jean  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shaw, Barbara  
Stroud, Kathleen  
Walsh, Robert Jr

Boisvert, Ronald  
Carroll, Douglas  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Harriott-Gathright, Linda  
Katsiantonis, Thomas  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Daniel  
Williams, Kermit

Booras, Efsthia  
Chandley, Shannon  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
Pellegrino, Tony  
Schmidt, Janice  
Soucy, Timothy  
Sullivan, Peter  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Hirsch, Geoffrey	Karrick, David Jr	Kelly, Sally
Lockwood, Priscilla	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Reed, Dennis	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Copeland, Timothy	Cushing, Robert Jr	Emerson-Brown, Rebecca
Flockhart, Eileen	Griffin, Mary	Heffron, Frank	Helmstetter, Barbara
Lovejoy, Patricia	Mann, Maureen	Milz, David	Muns, Chris
Pantelakos, Laura	Perkins, Amy	Perkins, Lawrence	Priestley, Anne
Schlachman, Donna	St.James, Kevin	Thompson, David	Till, Mary
Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa	

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horriggan, Timothy	Hubbard, Pamela
Kaen, Nalda	Ketel, Stephen	Malloy, Dennis	Menear, H. Robert III
Miller, David	Pelletier, Marsha	Perry, Robert	Rogers, Rose Marie
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spainhower, Dale
Spang, Judith	Stevens, Audrey	Verschueren, James	Wall, Janet
Ward, Kenneth			

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Lefebvre, Benjamin	O'Hearne, Andrew	Schmidt, Andrew
Sweeney, Cynthia			

and floor amendment (1127h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Groen offered floor amendment (1124h).

**Floor Amendment (1124h)**

Amend the title of the bill by replacing it with the following:

AN ACT increasing the rate of the road toll, establishing the New Hampshire state and municipal road and bridge account, establishing the commission to study revenue alternatives to the road toll, and relative to police presence in highway work zones.

Amend the bill by replacing all after section 9 with the following:

10 New Section; Presence of Uniformed Officers in Highway Work Zones. Amend RSA 228 by inserting after section 7 the following new section:

228:7-a Presence of Uniformed Officers in Highway Work Zones.

I. State expenditures for the use of uniformed officers as a presence in highway work zones shall be limited to one percent of project construction costs in fiscal year 2014 and 0.5 percent in fiscal year 2015 and thereafter.

II. The department shall determine when the presence of uniformed officers in work zones on class IV and V highways is required.

11 Effective Date.

I. Sections 1 through 8 and section 10 of this act shall take effect July 1, 2013.

II. The remainder of this act shall take effect upon its passage.

## AMENDED ANALYSIS

This bill:

- I. Establishes the New Hampshire state and municipal road and bridge account.
- II. Increases the road toll for gasoline and diesel fuel.
- III. Provides for adjustment in payments by the department of transportation to municipalities for highway construction and reconstruction aid when such payments are based on estimated revenue.
- IV. Credits the revenue from certain unrefunded tolls resulting from the increase in the road toll to the highway and bridge betterment account.
- V. Establishes a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges.
- VI. Limits the expenditure of state funds for the use of uniformed officers as a presence in highway work zones.

VII. Authorizes the department of transportation to determine when police presence is required on highway construction sites on class IV and V highways.

Rep. Groen spoke in favor and yielded to questions.

Rep. Campbell spoke against.

On a division vote, 138 members having voted in the affirmative and 220 in the negative, floor amendment (1124h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

**(Rep. Kaen in the Chair)**

Reps. Burt and Renzullo spoke against and yielded to questions.

Rep. Lovejoy spoke in favor and yielded to questions.

Reps. Waterhouse and Young spoke in favor.

Rep. Rideout spoke against.

**(Speaker Norelli in the Chair)**

Rep. Campbell spoke in favor and yielded to questions.

Rep. Dumaine requested a roll call; sufficiently seconded.

**YEAS 206 NAYS 158****YEAS 206****BELKNAP**

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa  
Tilton, Franklin

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas

Butler, Edward

McConkey, Mark

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Mann, John  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Butynski, William  
Lerandeau, Alfred  
Roberts, Kris  
Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Judy, Jean  
Levesque, Melanie  
McCloskey, David  
O'Flaherty, Tim  
Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr  
Woodbury, David

Beaulieu, Jane  
Campbell, David  
Danielson, David  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Smith, Timothy  
Sullivan, Peter  
Willette, Robert

Boisvert, Ronald  
Carroll, Douglas  
Dobson, Jeremy  
Goley, Jeffrey  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Soucy, Timothy  
Takesian, Charlene  
Williams, Kermit

Booras, Efstathia  
Chandley, Shannon  
Gage, Ruth  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Schmidt, Janice  
Spratt, Stephen  
Vail, Suzanne  
Winters, Joel

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Flockhart, Eileen  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Borden, David  
Cali-Pitts, Jacqueline  
Heffron, Frank  
Mann, Maureen  
Schlachman, Donna  
Waterhouse, Kevin

Briden, Steven  
Cushing, Robert Jr  
Helmstetter, Barbara  
Milz, David  
Sytek, John  
Wazlaw, Brian

Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Khan, Aboul  
Muns, Chris  
Till, Mary  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Verschuere, James

Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gottling, Suzanne  
O'Heame, Andrew

Grenier, James  
Schmidt, Andrew

**NAYS 158****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
Morrow, Harry  
White, Syndi

Chandler, Gene  
Nelson, Bill  
Wright, Donald

Cordelli, Glenn  
Schmidt, Stephen

Crawford, Karel  
Umberger, Karen

**CHESHIRE**

Emerson, Susan	Hunt, John	Johnson, Jane	Parkhurst, Henry
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**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Thomas, Yvonne
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond
Ladd, Rick Jr	Shackett, Jeffrey		

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Flanagan, Jack	Gagne, Larry
Garcia, Michael	Gargas, Carolyn	Haefner, Robert	Hansen, Peter
Hikel, John	Hinch, Richard	Hopper, Gary	Kurk, Neal
Lambert, George	LeBrun, Donald	Leishman, Peter	LeVasseur, Richard
Marston, Dick	Martel, Andre	McCarthy, Michael	Meaney, Richard
Murotake, David	Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Parison, James	Pellegrino, Tony	Peterson, Lenette	Renzullo, Andrew
Rosenwald, Cindy	Rowe, Robert	Sanborn, Laurie	Sandblade, Emily
Shaw, Barbara	Straight, Philip	Stroud, Kathleen	Sweeney, Shawn
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark

**MERRIMACK**

Hess, David	Hoell, J.R.	McGuire, Carol	McGuire, Dan
Reed, Dennis	Walsh, Thomas IV		

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Bishop, Franklin	Charron, Gene	Chirichiello, Brian
Comerford, Timothy	Copeland, Timothy	Danais, Romeo	Devine, James
Duarte, Joe	Dumaine, Dudley	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Friel, William	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Grace, Curtis	Griffin, Mary
Hagan, Joseph	Harris, Jeffrey	Hayes, Jack	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	McKinney, Betsy
McMahon, Charles	Nigrello, Robert	O'Connor, John	Oigny, Jeffrey
Packard, Sherman	Peckham, Michele	Perkins, Amy	Perkins, Lawrence
Priestley, Anne	Rice, Frederick	Sanders, Elisabeth	Sapareto, Frank
Scarlotta, Joe	Schroadter, Adam	Sedensky, John	St.James, Kevin
Sweeney, Joe	Tamburello, Daniel	Tasker, Kyle	Thompson, David
Tucker, Pamela	Webb, James Sr	Weyler, Kenneth	

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Gray, James	Groen, Warren
Jones, Laura	Parsons, Robbie	Pitre, Joseph	

**SULLIVAN**

Rollins, Skip	Smith, Steven
---------------	---------------

and the majority committee report was adopted and ordered to third reading.

**REGULAR CALENDAR (CONT'D)**

**HB 455**, establishing a committee to study the use of a cash balance retirement plan for new state employees. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**  
Rep. Jeffrey P. Goley for the Majority of Executive Departments and Administration: There was a study done last session on defined contribution plans. During that study some information was also

collected on cash balance plans. There was enough information collected and available on the subject that the sponsor was able to put detailed language in this study bill setting out the specifics of the cash balance plan to be studied. The majority of the committee believes there is already enough information available on the subject and a study committee is not needed at this time. Moreover, a subcommittee of interested committee members could study this and other retirement alternatives at any time without the need to create another study committee by statute. Vote 10-8.

Rep. Shawn P. Sweeney for the Minority of Executive Departments and Administration: This bill establishes a committee to study a potentially viable alternative to the current defined benefit pension system for new employees. The cash balance plan has been identified among potential solutions to the growing concerns over new members being added to the current pension system, with its billion dollar unfunded liability that requires increasing contribution rates, now and into the future. The degrading financial viability of this expanding system requires our response. There are reasonable arguments to be made for or against one plan or another, but no reasonable argument against researching alternatives.

### MOTION TO LAY ON THE TABLE

Rep. Dan McGuire moved that **HB 455**, establishing a committee to study the use of a cash balance retirement plan for new state employees, be laid on the table.

On a division vote, 161 members having voted in the affirmative and 194 in the negative, the motion failed.

The question now being adoption of the majority committee report of Inexpedient to Legislate. Majority committee report adopted.

**HB 683-FN**, relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management. **OUGHT TO PASS.**

Rep. Lucy M. Weber for Executive Departments and Administration: This bill pertains only to the director and assistant director of Homeland Security and Emergency Management. It allows either to elect not to become a member of the retirement system, or to be eligible to continue group II status if he or she was a group II member or retiree prior to appointment. The majority was aware of concern about treating these two positions differently from other non-classified positions, but was persuaded of the compelling reasons for the departure. The current and past holders of these positions have come from the larger of our New Hampshire policy or fire departments, bringing with them a wealth of knowledge and experience in handling emergency situations in New Hampshire. To require such a qualified candidate to forfeit group II benefits would make it less likely that future appointees will be from New Hampshire, as appointees vested in the retirement systems of other states can serve with no loss of benefits. The majority thought it is in the best interests of all of our citizens to ensure that persons holding these positions most critical to our safety be those with the most available knowledge and experience of the workings of New Hampshire's emergency system. We believe an emergency is no place for on-the-job training. Vote 13-5.

Rep. Worsman spoke against.

Rep. Weber spoke in favor.

Rep. Hansen requested a roll call; sufficiently seconded.

### YEAS 165 NAYS 191

#### YEAS 165

#### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

#### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Crawford, Karel

Ticehurst, Susan

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Shepardson, Marjorie

Berch, Paul  
Eaton, Daniel  
Mann, John  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Sad, Tara  
Young, Harry

**COOS**

Enman, Larry

Hammon, Marcia

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James

Ford, Susan

Lovett, Sid

Smith, Suzanne

Almy, Susan

Friedrich, Carol

Mulholland, Catherine

Townsend, Charles

Benn, Bernard

Higgins, Patricia

Nordgren, Sharon

Cooney, Mary

Lauer, Linda

Pastor, Beatriz

**HILLSBOROUGH**

Backus, Robert

Campbell, David

Danielson, David

Gale, Sylvia

Hackel, Paul

Hikel, John

Leishman, Peter

McCarthy, Michael

Rosenwald, Cindy

Vail, Suzanne

Booras, Efsthathia

Chandley, Shannon

DiSilvestro, Linda

Gargas, Carolyn

Hammond, Jill

Jack, Martin

Levesque, Melanie

McCloskey, David

Shattuck, Gilman

Walsh, Robert Jr

Brown, Pamela

Christiansen, Lars

Dobson, Jeremy

Goley, Jeffrey

Hansberry, Daniel

Knowles, Mary Ann

MacKay, Mariellen

McNamara, Richard

Shaw, Barbara

Williams, Kermit

Byron, Frank

Connor, Evelyn

Gage, Ruth

Grady, Brenda

Harriott-Gathright, Linda

Kopka, Angeline

Manley, Jonathan Sr

Porter, Marjorie

Spratt, Stephen

Woodbury, David

**MERRIMACK**

Alicea, Caroletta

Carson, Clyde

French, Barbara

Karrick, David Jr

Myler, Mel

Richardson, Gary

Shurtleff, Stephen

Watrous, Rick

Bouchard, Candace

Davis, Frank

Gile, Mary

Kelly, Sally

Patten, Dick

Rogers, Katherine

Tilton, Joy

Burns, Scott

Frambach, Mary

Henle, Paul

MacKay, James

Ratzki, Mario

Schamberg, Thomas

Turcotte, Alan

Carey, Lorrie

Frazer, June

Hirsch, Geoffrey

Moffett, Howard

Rice, Chip

Schuett, Dianne

Wallner, Mary Jane

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine

Cushing, Robert Jr

Heffron, Frank

Pantelakos, Laura

Schlachman, Donna

Ward, Gerald

Borden, David

Emerson-Brown, Rebecca

Helmstetter, Barbara

Peckham, Michele

St.James, Kevin

Waterhouse, Kevin

Burtis, Elizabeth

Flockhart, Eileen

Mann, Maureen

Priestley, Anne

Sweeney, Joe

Wazlaw, Brian

Cahill, Michael

Griffin, Mary

McKinney, Betsy

Scarlottio, Joe

Sytek, John

**STRAFFORD**

Baber, William

Ginsburg, Philip

Horrigan, Timothy

Miller, David

Schmidt, Peter

Verschueren, James

Bixby, Peter

Grassie, Anne

Hubbard, Pamela

Perry, Robert

Smith, Marjorie

Wall, Janet

Burdwood, Greg

Gray, James

Kaen, Naida

Rogers, Rose Marie

Spang, Judith

Burke, Rachel

Grossman, Kenneth

Malloy, Dennis

Rollo, Deanna

Stevens, Audrey

**SULLIVAN**

Cloutier, John

O'Hearne, Andrew

Gagnon, Raymond

Rollins, Skip

Gottling, Suzanne

Grenier, James

**NAYS 191****BELKNAP**

Burchell, Richard

Flanders, Donald

Sylvia, Michael

Comtois, Guy

Greemore, Robert Jr

Tilton, Franklin

Cormier, Jane

Holmes, Stephen

Vadney, Herbert

Fink, Charles

Luther, Robert

Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
 Merrow, Harry  
 Wright, Donald

Chandler, Gene  
 Nelson, Bill

Cordelli, Glenn  
 Schmidt, Stephen

McConkey, Mark  
 Umberger, Karen

**CHESHIRE**

Hunt, John  
 Roberts, Kris

Johnson, Jane  
 Tatro, Bruce

Ley, Douglas

Phillips, Larry

**COOS**

Coulombe, Gary  
 Theberge, Robert

Rappaport, Laurence  
 Thomas, Yvonne

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
 Gionet, Edmond  
 Piper, Wendy

Bradley, Lester  
 Harding, Laurie  
 Shackett, Jeffrey

Brown, Rebecca  
 Ladd, Rick Jr  
 Sykes, George

Doolan, Ralph Jr  
 Massimilla, Linda  
 White, Andrew

**HILLSBOROUGH**

Barry, Richard  
 Boisvert, Ronald  
 Coffey, James  
 Gagne, Larry  
 Graham, John  
 Hinch, Richard  
 Lambert, George  
 Marston, Dick  
 Murphy, Kelleigh  
 O'Brien, William  
 Palmer, Stephen  
 Ramsey, Peter  
 Sandblade, Emily  
 Straight, Philip  
 Sweeney, Shawn  
 Villeneuve, Moe

Beaulieu, Jane  
 Burt, John  
 Culbert, Patrick  
 Garcia, Michael  
 Haefner, Robert  
 Jasper, Shawn  
 LeBrun, Donald  
 Meaney, Richard  
 Nelson, Mary  
 O'Flaherty, Tim  
 Parison, James  
 Renzullo, Andrew  
 Schmidt, Janice  
 Stroud, Kathleen  
 Takesian, Charlene  
 Warden, Mark

Belanger, James  
 Carroll, Douglas  
 Daniels, Gary  
 Gidge, Kenneth  
 Hansen, Peter  
 Jeudy, Jean  
 LeVasseur, Richard  
 Murotake, David  
 Notter, Jeanine  
 Ober, Lynne  
 Pellegrino, Tony  
 Rowe, Robert  
 Smith, Timothy  
 Sullivan, Daniel  
 Ulery, Jordan  
 Willette, Robert

Boehm, Ralph  
 Cebrowski, John  
 Flanagan, Jack  
 Gorman, Mary  
 Heden, Ruth  
 Kurk, Neal  
 Long, Patrick  
 Murphy, Keith  
 O'Brien, Michael Sr  
 Ober, Russell III  
 Peterson, Lenette  
 Sanborn, Laurie  
 Soucy, Timothy  
 Sullivan, Peter  
 Vaillancourt, Steve  
 Winters, Joel

**MERRIMACK**

Andrews, Christopher  
 Hoell, J.R.  
 McGuire, Dan  
 Webb, Leigh

Bartlett, Christy  
 Kidder, David  
 Reed, Dennis

Ebel, Karen  
 Lockwood, Priscilla  
 Walsh, Thomas IV

Hess, David  
 McGuire, Carol  
 Walz, Mary Beth

**ROCKINGHAM**

Abrami, Patrick  
 Birdsell, Regina  
 Chirichiello, Brian  
 Devine, James  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Harris, Jeffrey  
 Itse, Daniel  
 McMahon, Charles  
 O'Connor, John  
 Rice, Frederick  
 Tamburello, Daniel  
 Webb, James Sr

Allen, Mary  
 Briden, Steven  
 Comerford, Timothy  
 Duarte, Joe  
 Fesh, Robert  
 Gordon, Richard  
 Hayes, Jack  
 Kappler, Lawrence  
 Milz, David  
 Packard, Sherman  
 Sanders, Elisabeth  
 Thompson, David  
 Weyler, Kenneth

Baldasaro, Alfred  
 Cali-Pitts, Jacqueline  
 Copeland, Timothy  
 Elliott, Robert  
 Friel, William  
 Grace, Curtis  
 Hodgdon, Bruce  
 Khan, Aboul  
 Muns, Chris  
 Perkins, Amy  
 Schroadter, Adam  
 Till, Mary  
 Whittemore, Lisa

Bick, Patrick  
 Charron, Gene  
 Danais, Romeo  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Hagan, Joseph  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 Nigrello, Robert  
 Perkins, Lawrence  
 Sedensky, John  
 Tucker, Pamela



**STRAFFORD**

Beaudoin, Steven  
Jones, Laura  
Pelletier, Marsha

Bickford, David  
Ketel, Stephen  
Pitre, Joseph

Gardner, Janice  
Meneer, H. Robert III  
Spainhower, Dale

Groen, Warren  
Parsons, Robbie  
Ward, Kenneth

**SULLIVAN**

Irwin, Virginia  
Sweeney, Cynthia

Lefebvre, Benjamin  
Tanner, Linda

Schmidt, Andrew

Smith, Steven

and the committee report failed.

Rep. Worsman moved Inexpedient to Legislate.

**LAID ON THE TABLE**

Rep. Kaen moved that **HB 683-FN**, relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management, be laid on the table.

On a division vote, 194 members having voted in the affirmative and 162 in the negative, the motion was adopted.

**REGULAR CALENDAR (CONT'D)**

**HB 260-FN**, relative to voluntary services provided to children in need under RSA 169-D. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Katherine D. Rogers for Finance: Legislators heard from their communities about the “downshifting” of costs when services for children in need of services (CHINS) was nearly eliminated in the current budget. This bill, as amended, expands the definition of a child in need of services under RSA 169-D which was severely restricted in the current biennium. It creates a voluntary CHINS program and requires that the appropriate voluntary services have been attempted and proven unsuccessful prior to a petition being filed with the court. This bill gives people who would otherwise go to court to access services under the voluntary option and may result in lower cost services for three reasons in addition to savings in court, prosecution and defense costs. 1. Voluntary services are limited in their scope - no access is given to residential services, which are only available through the court system. 2. Voluntary services are also limited in length, while court-ordered services have no such limitation. 3. Service plans developed under the voluntary services procedures will include the department in the planning process, so its resources are much less likely to be at the mercy of a judge ordering something that the department doesn’t consider necessary. Additionally this bill invokes a “circuit breaker” that allows the department to suspend voluntary services and just provide services under the court process for the remainder of the biennium should costs be more substantial than expected. The bill also directs the department to collect data regarding the CHINS program and provides for the suspension of voluntary services if appropriated funds will be insufficient to support services for the remainder of the biennium. The bill additionally requires school board truancy policies to include certain information relative to student attendance. Vote 16-7.

**Amendment (0968h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the children in need of services (CHINS) program.

Amend the bill by replacing all after the enacting clause with the following:

1 Children in Need of Services; Applicability of Chapter. RSA 169-D:1, IV and V are repealed and reenacted to read as follows:

IV. To protect the integrity of the family by authorizing adjudication and the imposition of dispositional judgment requiring participation in a plan of services only after appropriate voluntary alternatives have been unsuccessful; and

V. When appropriate voluntary service options have been unsuccessful, to provide effective judicial procedures through which family service plans are executed and enforced, and which assure the parties fair hearings at which their constitutional and other rights as citizens are recognized and protected.

2 Definition of Child in Need of Services. RSA 169-D:2, II is repealed and reenacted to read as follows:

II. “Child in need of services” means a child under the age of 18:

(a) Who is subject to compulsory school attendance, and who is habitually, willfully, and without good and sufficient cause truant from school;

(b) Who habitually runs away from home, or who repeatedly disregards the reasonable and lawful commands of his or her parents, guardian, or custodian and places himself or herself or others in unsafe circumstances;

(c) Who has exhibited willful repeated or habitual conduct constituting offenses which would be violations under the criminal code of this state if committed by an adult or, if committed by a person 16 years of age or older, would be violations under the motor vehicle code of this state; or

(d) With a diagnosis of severe emotional, cognitive, or other mental health issues who engages in aggressive, fire setting, or sexualized behaviors that pose a danger to the child or others and who is otherwise unable or ineligible to receive services under RSA 169-B or RSA 169-C; and

(e) Is expressly found to be in need of care, guidance, counseling, discipline, supervision, treatment, or rehabilitation.

3 New Paragraph; Children in Need of Services; Definition of Truant Added. Amend RSA 169 D:2 by inserting after paragraph XIII the following new paragraph:

XIV. "Truant" means a child between the ages of 6 and 18 years who is either not attending school as required by law or who is not participating in an alternative learning plan under RSA 193:1. "Truancy" shall have the same meaning as in RSA 189:35-a.

4 Children in Need of Services; Petition. Amend RSA 169-D:5, I to read as follows:

***I.(a) A petition alleging that a child is in need of services under RSA 169-D:2, II(a) may be filed by a truant officer or school official from the school district where the child is attending school with a judge or clerk of the court in the judicial district where the child is found or resides. In accordance with RSA 189:36, II, a truant officer or school official shall not file a petition alleging that a child is in need of services under RSA 169-D:2, II(a) until all steps in the school district's intervention process under RSA 189:34, II have been followed.***

***(b) A petition alleging that a child is in need of services under RSA 169-D:2, II(b) or RSA 169-D:2, II(c) may be filed by a parent, legal guardian or custodian, school official, or law enforcement officer with a judge or clerk of the court in the judicial district in which the child is found or resides.***

***(c) A petition alleging that a child is in need of services under RSA 169-D:2, II(d) may, with the consent of the department, be filed by a parent, legal guardian or custodian, school official, or law enforcement officer with a judge or clerk of the court in the judicial district in which the child is found or resides.***

***I-a.*** The petition shall be in writing and verified under oath. The following notice shall be printed on the front of the petition in bold in no smaller than 14 point font size: "See back for important information and financial obligations." The back of the petition shall include a notice of liability for parents and other individuals chargeable by law for the child's support and necessities.

5 New Paragraph; Petition. Amend RSA 169-D:5 by inserting after paragraph II the following new paragraph:

***II-a.*** Any petition filed shall include language demonstrating that appropriate voluntary services have been attempted, the nature of voluntary services attempted, and the reason court compulsion is necessary. If, upon review of the petition, the court is not satisfied that the petition includes sufficient information to find that appropriate voluntary services were attempted and unsuccessful, the court shall, prior to scheduling the child's initial appearance, refer the petition to the department, which shall proceed pursuant to RSA 169-D:9.

6 New Section; Voluntary Services. Amend RSA 169-D by inserting after section 5-b the following new section:

**169-D:5-c Voluntary Services.** The department may offer the child and family, on a voluntary basis, any services permitted under RSA 169-D:17. The department may decline to offer services to a child or family if it concludes that the child does not meet the definition of child in need of services in RSA 169-D:2, II. Notwithstanding RSA 541-A, denials of voluntary services shall not be subject to appeal, however the department's decision to decline services shall not preclude any person from bringing a petition pursuant to RSA 169-D:5, I. If the department declines services in a case referred to it by the court, the department shall notify the court that it has declined voluntary services and the bases therefor. Voluntary services shall not include the out-of-home placement of the child. Voluntary services provided pursuant to this section shall be time limited, not to exceed 9 months.

7 Issuance of Summons and Notice. RSA 169-D:6, I is repealed and reenacted to read as follows:

***I.(a)*** After a legally sufficient petition has been filed, unless the case is referred to the department pursuant to RSA 169-D:5 or a consent order is entered and approved, the court shall schedule an

initial appearance and issue a summons, including a copy of the petition, to be served personally upon the person having custody or control of the child or with whom the child may be, requiring that person to appear with the child on the specified date and time. Refusal of the child to participate in the development of a voluntary service plan may constitute sufficient information that voluntary service and support options have been unsuccessful.

(b) If personal service is not possible, service shall occur at the usual place of abode of the person having custody or control of the child or with whom the child may be, requiring that person to appear with the child at a specified place and time which time shall not be less than 24 hours after service. If the person so notified is not the parent or guardian of the child, then a parent or guardian shall be notified, provided they and their residence are known.

8 Diversion and Pre-adjudicatory Procedure. RSA 169-D:9 is repealed and reenacted to read as follows:

169-D:9 Pre-adjudicatory Procedure.

I. Except in emergencies, the department, its agent, or any person or agency it designates shall determine what voluntary service options are available to the child and family. A referral for this determination may be made by any person permitted to bring a petition under RSA 169-D:5, I. To achieve this purpose, the department may designate a multi-disciplinary team to consider the facts and circumstances of the case, the needs of the child and family, and available diversion programs, services, and resources. This conference shall be attended by the child, if appropriate, his or her parents, legal guardians or custodians, and representatives of any public institution or agency having legal responsibility over the child, and may be attended by parties invited by the family and representatives of any public or private institutions or agencies having discretionary ability to coordinate and/or supply services to the child or family. If the child does not attend a multi-disciplinary conference, an appropriate individual shall be designated to solicit the child's input and help the child understand available service options and supports.

II. If available, a multi-disciplinary conference may be held at any time before or after a petition is filed but shall be held before the child's initial appearance pursuant to RSA 169-D:11.

III. At any time before or after a petition is filed, the child, his or her caretakers, and the department may effect an individualized voluntary family services plan, which shall include:

(a) Identification of the circumstances which contributed to the need for services.

(b) A description of the services that are needed for the child, the child's caretakers, or other family members, the availability of such services within the community, and a plan for ensuring that any such services that are available will be secured and provided.

(c) The name of the person within the each affected public service agency who is directly responsible for assuring that specific services identified in the plan are provided.

(d) An estimate of the time anticipated to be necessary to accomplish the goals set out in the plan.

(e) Any other provisions deemed appropriate by the parties.

(f) Designation of a responsible person or agency for oversight of the plan.

IV. A voluntary family services plan shall set forth in writing the terms and conditions agreed to by the child, the child's caretaker, and all parties responsible for implementation of the voluntary services plan. A written copy of the plan shall be submitted to each party or person responsible for implementation of the plan.

V. A voluntary services plan may be amended by agreement of the parties at any time. If a petition has been filed, the amended plan shall be submitted to the court.

VI. If a petition has been filed, the voluntary family services plan shall be submitted to the court. A voluntary services plan shall stay the proceedings for a period not to exceed 90 days from the date of implementation, unless the parties agree, in writing, to an extension for additional periods not to exceed 90 days. If the parties determine services are necessary for longer than 180 days, the department shall submit a report to the court which outlines the progress that has been achieved during the duration of services and explains why continued services are necessary. Such reports shall be filed every 180 days until voluntary services are discontinued. If, upon reviewing the report, the court questions the need for continued services, it shall schedule a show cause hearing, at which the child, if appropriate, the child's parent or caretaker, and the department shall appear.

VII. When the petitioning person or agency, the court, the department, or a member of the multi-disciplinary team suspects that a child has a disability, an administrator at the responsible school district shall be notified. If appropriate, the school district shall refer the child for evaluation to determine if the child is in need of special education and related services.

VIII. A voluntary family services plan shall not be considered in an adjudicatory hearing pursuant to RSA 169-B or 169-D, or a criminal trial. Evidence of the existence of such agreement shall not be used against the child over objection in any juvenile adjudicatory hearing or criminal trial.

IX. Any incriminating statement made by the child during discussions or conferences incident to the voluntary family services plan shall not be used against the child, over objection, in adjudicatory hearing pursuant to RSA 169-B or 169-D, or a criminal trial. Any such statement may be reported as the basis for a referral to the department pursuant to RSA 169-C, if there is reasonable basis to believe that a child's physical or mental health or welfare is endangered by abuse or neglect.

X. A voluntary family services plan suspends the proceedings on the petition. If the child satisfies the terms of the voluntary family services plan, he or she shall be discharged from further services or supervision, and the pending complaint or petition shall be dismissed with prejudice.

9 Children in Need of Services; Release Prior to Initial Appearance. Amend RSA 169-D:10, II and III to read as follows:

II. Pending the initial appearance, the court shall release the child to one of the following, which in the court's opinion is the least restrictive and most appropriate:

- (a) A parent or guardian;
- (b) A relative or suitable adult;

(c) *Where there are reasonable grounds to believe that the child is a runaway under RSA 169-D:2, II(b) or that the child is a child in need of services under RSA 169-D:2, II(d)*, the custody of department of health and human services for placement in a foster home, as defined in RSA 169-C:3, XIII, a group home, a crisis home, or a shelter care facility with expenses chargeable as provided in RSA 169-D:29; or

(d) [Repealed.]

(e) An alcohol crisis center certified to accept juveniles.

III. *Where there are reasonable grounds to believe that the child is a runaway under RSA 169-D:2, II(b) or that the child is a child in need of services under RSA 169-D:2, II(d) and [Should] there [be] is no shelter care/detention bed available, nor an appropriate parent, guardian, or custodian as defined in paragraph II of this section available, the court or the officer taking the child into temporary custody shall notify the department. If the child cannot be referred to an alternative to secure detention, the court shall make an order authorizing the department to place the child. The department shall then promptly arrange for placement of the child.*

10 Initial Appearance. Amend RSA 169-D:11, II(c) and (d) to read as follows:

(c) Establish any conditions for release; ~~and~~

(d) Set a hearing date[-]; ~~and~~

(e) *Inquire of the child and a parent or guardian of the child if the child has been:*

(1) *Determined to have an intellectual disability; or*

(2) *Determined to have a mental illness, emotional or behavioral disorder, or another disorder that may impede the child's decision-making abilities; or*

11 Children in Need of Services; Release Pending Adjudicatory Hearing. Amend RSA 169-D:13, I to read as follows:

I. Following the initial appearance, a child alleged to be in need of services may be ordered by the court subject to such conditions as the court may order, to be:

(a) Retained in the custody of a parent, guardian, or custodian; or

(b) Released in the supervision and care of a relative; or

(c) *Where the petition alleges that the child is a habitual runaway under RSA 169-D:2, II(b) or that the child is a child in need of services under RSA 169-D:2, II(d)*, released to the custody of the department of health and human services for placement in a foster home, as defined in RSA 169-C:3, XIII, a group home, a crisis home, or a shelter care facility with expenses chargeable as provided in RSA 169-D:29.

(d) [Repealed.]

*I-a. Where the petition alleges that the child is a habitual truant under RSA 169-D:2, II(a), that the child repeatedly disregards the reasonable and lawful commands of his or her parents, guardian, or custodian under RSA 169-D:2, II(b), or that the child repeatedly or habitually engages in conduct that constitutes violation level offenses under RSA 169-D:2, II(c), the court shall not order the out-of-home placement of the child.*

12 Children in Need of Services; Dispositional Hearing. Amend RSA 169-D:17, I to read as follows:

I. If the court finds the child is in need of services, it shall order the least restrictive and most appropriate disposition considering the facts in the case, the investigation report, and the dispositional recommendations of the parties and counsel. The dispositional recommendation of the department of health and human services shall include the costs of the recommended services, placements, and programs. Such disposition may include:

(a) Permitting the child to remain with a parent, guardian, relative, or custodian, subject to such limitations and conditions as the court may prescribe, including:

(1) Ordering the child or parent, guardian, relative, or custodian, or both, to accept individual or family counseling;

(2) Placing the child on conditional release for a term of 2 years or less.

(b)(1) Releasing the child in the supervision and care of a relative or suitable adult; or

(2)(A) *Where the petition alleges that the child is a habitual runaway under RSA 169-D:2, II(b) or that the child is a child in need of services under RSA 169-D:2, II(d)*, releasing the child to the custody of the department of health and human services for placement in a foster home, as defined in RSA 169-C:3, XIII, a group home, a crisis home, or a shelter care facility with expenses charged in accordance with RSA 169-D:29.

(B) *Notwithstanding subparagraph (A), where the petition alleges that the child is a habitual truant under RSA 169-D:2, II(a), that the child repeatedly disregards the reasonable and lawful commands of his or her parents, guardian, or custodian under RSA 169-D:2, II(b), or that the child repeatedly or habitually engages in conduct that constitutes violation level offenses under RSA 169-D:2, II(c), the court shall not order the out-of-home placement of the child.*

(c) Imposing a fine or restitution, or both, on a child who has committed an offense which, if committed by an adult, would be a violation under the criminal code of this state; or has committed an offense which, if committed by a person 16 years of age or older, would be a violation under the motor vehicle code of this state; or has violated an ordinance or bylaw of a city or town. Such fine shall not exceed the fine which may be imposed against an adult for the same offense.

(d) Ordering the minor to perform up to 50 hours of uncompensated public service subject to the approval of the elected or appointed official authorized to give approval of the city or town in which the offense occurred. The court's order for uncompensated public service shall include the name of the official who will provide supervision to the minor. However, no person who performs such public service under this subparagraph shall receive any benefits that such employer gives to its other employees, including, but not limited to, workers' compensation and unemployment benefits and no such employer shall be liable for any damages sustained by a person while performing such public service or any damages caused by that person unless the employer is guilty of gross negligence.

(e) Requiring any child to attend structured after-school or evening programs which address some of the child's compliance issues, as well as supervise the child during the time of the day in which the child most values his or her freedom and the time which is most often used to perform unruly acts. The cost of said programs shall be paid by private insurance, if available, or otherwise by the child, parent, guardian, or person having custody of the child, or may be available to the child free of charge based on the limited means of the family or based on the program's receipt of other funding. Payment shall be made pursuant to RSA 169-D:29 only for those programs that have been certified pursuant to RSA 170-G:4, XVIII.

13 New Section; Data Collection. Amend RSA 169-D by inserting after section 30 the following new section:

169-D:31 Data Collection.

I. The department shall establish a system to collect data related to:

(a) The person or entity who referred the child for services and/or filed the petition.

(b) The racial and ethnic identity of the child.

(c) The insurance status and coverage of child served.

(d) The length of time a child receives services under this chapter, including the time prior and subsequent to the filing of a petition.

(e) The identity of any public or private organization to whom the department has referred a child or family.

(f) Any other information, including outcome data, that may assist the department and the court in evaluating the availability and effectiveness of services for children who receive assistance under this chapter.

(g) The number of cases in which the department received a referral of a child for services but declined to provide services pursuant to RSA 169-D:5-c, along with the basis for those decisions.

II. The department shall, upon request, make available to members of the public, compilations of the data which do not contain identifying information.

14 School Board Truancy Policy. Amend RSA 189:34, II(b) to read as follows:

(b) A process for intervention designed to address individual cases of truancy as quickly as possible and to reduce the number of habitual truants in the school district. *The process shall consider and document the effect, if any, on the child's attendance of the following: inconsistent and ineffective school attendance policies; poor record keeping; notification provided to parents or guardians of the child's absences; unsafe school environment; poor school climate; poor relations with teachers; and the adequacy of the identification of the child's special education needs.* The board shall provide for the participation of parents in the development of the policy. The policy shall include early parental involvement in the intervention process. The policy shall also designate an employee in each school as the person responsible for truancy issues.

15 Children in Need of Services; Suspension of Voluntary Services. The fiscal committee of the general court may authorize the suspension of voluntary services under RSA 169-D upon certification by the commissioner of the department of health and human services that appropriated funds will be insufficient to support voluntary services for the remainder of the biennium ending June 30, 2015.

16 Effective Date. This act shall take effect September 1, 2013.

### AMENDED ANALYSIS

This bill:

I. Expands the definition of a child in need of services under RSA 169-D and revises the circumstances under which the court may order various services or placements. The bill also directs the department of health and human services to collect certain data regarding the CHINS program and provides for the suspension of voluntary services if appropriated funds will be insufficient to support voluntary services for the remainder of the biennium.

II. Requires school board truancy policies to include certain information relative to student attendance.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

### YEAS 215 NAYS 138

#### YEAS 215

#### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

#### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward  
Wright, Donald

Crawford, Karel

Ticehurst, Susan

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Parkhurst, Henry  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Lerandeau, Alfred  
Phillips, Larry  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Mann, John  
Shepardson, Marjorie  
Young, Harry

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Levesque, Melanie  
McCloskey, David  
O'Flaherty, Tim  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Boisvert, Ronald  
Chandley, Shannon  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shaw, Barbara  
Sullivan, Peter  
Winters, Joel

Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Emerson-Brown, Rebecca  
Heffron, Frank  
Muns, Chris  
Perkins, Amy  
Schlachman, Donna  
Wazlaw, Brian

Borden, David  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Helmstetter, Barbara  
Nigrello, Robert  
Perkins, Lawrence  
St. James, Kevin  
Whittemore, Lisa

Briden, Steven  
Copeland, Timothy  
Grace, Curtis  
Lovejoy, Patricia  
Pantelakos, Laura  
Priestley, Anne  
Till, Mary

Burtis, Elizabeth  
Cushing, Robert Jr  
Griffin, Mary  
Mann, Maureen  
Peckham, Michele  
Scarlotta, Joe  
Ward, Gerald

**STRAFFORD**

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Pelletier, Marsha  
Rollo, Deanna  
Spang, Judith

Bickford, David  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Menear, H. Robert III  
Pitre, Joseph  
Smith, Marjorie  
Verschueren, James

Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Miller, David  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
O'Hearne, Andrew  
Tanner, Linda

Grenier, James  
Schmidt, Andrew

Irwin, Virginia  
Smith, Steven

**NAYS 138****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

Morrow, Harry

**CHESHIRE**

Hunt, John

Roberts, Kris

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Garcia, Michael  
Hikel, John  
Lambert, George  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Takesian, Charlene  
Warden, Mark

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Graham, John  
Hinch, Richard  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Renzullo, Andrew  
Straight, Philip  
Ulery, Jordan  
Willette, Robert

Boehm, Ralph  
Christiansen, Lars  
Flanagan, Jack  
Haefner, Robert  
Jasper, Shawn  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Parison, James  
Rowe, Robert  
Stroud, Kathleen  
Vaillancourt, Steve

Burt, John  
Coffey, James  
Gagne, Larry  
Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Sweeney, Shawn  
Villeneuve, Moe

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Reed, Dennis

Kidder, David  
Walsh, Thomas IV

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Danais, Romeo  
Emerick, J. Tracy  
Garcia, Bianca  
Harris, Jeffrey  
Itse, Daniel  
McMahon, Charles  
Rice, Frederick  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Allen, Mary  
Charron, Gene  
Devine, James  
Ferrante, Beverly  
Garcia, Marilinda  
Hayes, Jack  
Kappler, Lawrence  
Milz, David  
Sanders, Elisabeth  
Sweeney, Joe  
Tucker, Pamela

Baldasaro, Alfred  
Chirichiello, Brian  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Hodgdon, Bruce  
Khan, Aboul  
O'Connor, John  
Sapareto, Frank  
Sytek, John  
Waterhouse, Kevin

Bick, Patrick  
Comerford, Timothy  
Elliott, Robert  
Friel, William  
Hagan, Joseph  
Hoelzel, Kathleen  
McKinney, Betsy  
Packard, Sherman  
Schroadter, Adam  
Tamburello, Daniel  
Webb, James Sr

**STRAFFORD**

Beaudoin, Steven  
Parsons, Robbie

Gray, James

Groen, Warren

Jones, Laura

**SULLIVAN**

Gagnon, Raymond  
and the committee amendment was adopted.  
Rep. Pitre voted Yea and intended to vote Nay.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
On a division vote, 211 members having voted in the affirmative and 140 in the negative, the committee report was adopted and ordered to third reading.



**HB 432-FN**, relative to health care costs for county and state inmates. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Stephen P. Spratt for the Majority of Finance: This bill revises health care reimbursement rates for inpatient, outpatient and emergency room care for county and state prisoners, further defines health care facilities and independent provider rates and limits rates for prisoners who are eligible for Medicaid to current Medicaid rates. This bill helps contain taxpayer costs for inmate medical care. Vote 20-3. Rep. Dan McGuire for the Minority of Finance: This bill requires hospitals and other health care providers to serve county prisoners for a price specified in the bill. While this kind of thing is rampant throughout our health financing laws, forcing someone to work, particularly for a non-negotiated rate of pay, is involuntary servitude, i.e. slavery. Laws like this drive providers out of business, decreasing the availability of health care, increasing wait times and costs. Since the law doesn't do anything positive to create savings, such as cutting red tape, all it does is inefficiently shift costs from counties onto health care providers and customers. The cost of jails ought to be borne by the general taxpayer, not disguised as rising health insurance costs.

**Majority Amendment (0907h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Medical Services for County Prisoners. Amend RSA 623-C:1, I to read as follows:

I.(a) Except as provided in subparagraphs (b) through ~~[(f), no hospital or emergency room shall charge a county or its agent]~~ (g) *the county department of corrections or its agent shall pay health care facilities licensed pursuant to RSA 151 no more than 110 percent of the Medicare allowable rate for inpatient, outpatient, or emergency room care provided for prisoners in county correctional facilities.*

(b) *Except as provided in subparagraphs (c) through (e), and subparagraph (i), the county department of corrections or its agent shall pay independent health care providers licensed in this state no more than 125 percent of the Medicare allowable rate for care provided for prisoners in county correctional facilities.*

(c) Allowances provided by hospitals shall qualify as community benefits under RSA 7:32-d, III(b).

~~[(e)]~~ (d) ~~[Hospitals]~~ *The county department of corrections shall pay health care facilities licensed pursuant to RSA 151 and reported by the department of health and human services as having a negative operating margin in the most recent year for which [hospital-audited] audited financial data is available [shall charge] no more than 125 percent of the Medicare rate.*

~~[(d)]~~ (e) *Nothing in this section shall preclude the superintendent of a county correctional facility from negotiating and executing medical service rate agreements with health care facilities licensed pursuant to RSA 151, or other licensed medical providers, for the provision of medical or dental services to county prisoners at the lowest rate possible, or utilizing rates in existing agreements.*

(f) The superintendent of a county correctional facility may waive the application of subparagraph (a) if the superintendent determines such action is necessary to ensure prisoner access to medically necessary care.

~~[(e)]~~ The superintendent of a county correctional facility may waive the application of subparagraph (a) if the superintendent determines such action to be necessary for the efficient operations of the county correctional facility.

~~(f) Nothing in this paragraph shall require a hospital to admit any person]~~

(g) *The superintendent of a county correctional facility may waive the application of subparagraph (a) if the superintendent determines such action to be necessary for the efficient operations of the county correctional facility.*

(h) *The superintendent of a county correctional facility may at any time audit any claim or seek clarification on any payment made pursuant to this section, or both. Upon request by the superintendent, the provider shall furnish information on pricing methodology and shall detail any internal process controls for ensuring accurate pricing of claims processed under this section. Claim information shall be provided in the industry standard format, including but not limited to the application of global surgery provisions, billing for surgical assistants, and bundling.*

(i) *If a county prisoner's medical care is covered by Medicaid, the health care facility licensed pursuant to RSA 151, or the licensed health care provider, or both, shall be paid at the Medicaid rate for services provided.*

2 Medical Services for State Prisoners. Amend RSA 623-C:2, I and II to read as follows:

I.(a) Except as provided in subparagraphs (b) through ~~[(d)]~~ (f), the *state* department of corrections or its agent shall pay health care facilities ~~[and hospitals]~~ *licensed pursuant to RSA 151 no more than* 110 percent of the Medicare allowable rate for inpatient, outpatient, or emergency room care provided for prisoners in state correctional facilities. ~~[In this chapter, "health care facilities" mean ambulatory and specialty medical services centers licensed under RSA 151, and shall include but not be limited to surgical, rehabilitation, long term, oncology, and dialysis centers, but shall not include physician practices and community health care clinics]~~

(b) *Except as provided in subparagraphs (c) through (e), and subparagraph (h), the state department of corrections or its agent shall pay independent health care providers licensed in this state no more than 125 percent of the Medicare allowable rate for care provided for prisoners in state correctional facilities.*

(c) Allowances provided by hospitals shall qualify as community benefits under RSA 7:32-d, III(b).

(d) *The state department of corrections shall pay health care facilities licensed pursuant to RSA 151 and reported by the department of health and human services as having a negative operating margin in the most recent year for which audited financial data is available no more than 125 percent of the Medicare rate.*

~~[(e)]~~ (e) The commissioner of the *state* department of corrections may waive the application of subparagraph (a) if the commissioner determines such action is necessary to ensure prisoner access to medically necessary care.

~~[(f)]~~ (f) The commissioner of the *state* department of corrections may waive the application of subparagraph (a) if the commissioner determines such action to be necessary for the efficient operations of the state correctional facility.

(g) *The commissioner of the state department of corrections may at any time audit any claim or seek clarification on any payment made pursuant to this section, or both. Upon request by the commissioner, the provider shall furnish information on pricing methodology and shall detail any internal process controls for ensuring accurate pricing of claims processed under this section. Claim information shall be provided in the industry standard format, including but not limited to the application of global surgery provisions, billing for surgical assistants, and bundling.*

(h) *If a state prisoner's medical care is covered by Medicaid, the facility or the licensed health care provider, or both, shall be paid at the Medicaid rate for services provided.*

II. Nothing in this section shall preclude the commissioner of the *state* department of corrections from ~~[having the discretion to negotiate and execute]~~ *negotiating and executing* medical service rate agreements with ~~[hospitals or]~~ health care facilities *licensed pursuant to RSA 151, or other licensed medical providers*, for the provision of medical *or dental* services to state prisoners at the lowest rate possible, or utilizing rates in existing agreements.

3 Effective Date. This act shall take effect July 1, 2013.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, 238 members having voted in the affirmative and 106 in the negative, the majority committee report was adopted and ordered to third reading.

**HB 615-FN-A**, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Katherine D. Rogers for the Majority of Finance: The bill makes an appropriation of \$25,000 to the New Hampshire national guard recruitment and retention scholarship fund for the fiscal year ending June 30, 2014. The committee wholeheartedly supports the policy of this bill and, in following past practices of not passing "legislative specials," has inserted into HB 1 (the budget bill) a new line item for this appropriation. HB 1's new line item within the adjutant general's department for \$25,000 in fiscal year 2014 as well as FY 2015 doubles the amount HB 615 requested, and by so doing the committee has memorialized this program as a permanent fixture thereby assuring the continuation of this program. The program had previously depended on a revenue stream from the rental of national guard property that no longer exists. The committee intends to "enshrine" this program into House fiscal policy and work to reward those who serve us in the New Hampshire national guard. Vote 15-8.

Rep. Karen C. Umberger for the Minority of Finance: The minority of the committee believes that HB 615 should have been amended to include the New Hampshire national guard recruitment and retention scholarship fund of \$25,000 in both FY 14 and FY 15 to match the funding that is proposed in HB 1. This action would have formally established the House position of funding the scholarships for both FY 14 and FY 15 rather than the possibility that, because of the majority's position of ITL, the funding could be eliminated.

The question being adoption of the majority committee report of Inexpedient to Legislate. Rep. Katherine Rogers spoke against.

### LAI ON THE TABLE

Rep. Katherine Rogers moved that **HB 615-FN-A**, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefore, be laid on the table. Adopted.

### REGULAR CALENDAR (CONT'D)

**HB 185-FN**, relative to the fuel oil discharge cleanup fund. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Richard Ames for the Majority of Ways and Means: This bill adds one-quarter of a penny to the current one penny per gallon fuel oil importation fee, restoring the fee to the 1.25 cent level that it was at as of the end of Fiscal Year 2010. All income generated by this fee is deposited into the fuel oil discharge cleanup fund, a discharge prevention and contamination cleanup program established by the legislature in 1993 under RSA 146-E. The program is administered by the oil fund disbursement board with assistance from the department of environmental services (DES); the restoration of the fee to 1.25 cents per gallon is recommended by the board and by DES. The program offers significant public health and environmental protection benefits to NH homeowners, businesses, schools and local governments, paying fuel oil contamination costs not covered by insurance. The program also funds the state's SAFETANK program, helping qualified low income families to replace or bring into compliance residential fuel oil tanks in danger of release. SAFETANK prevention funding is designed to avoid costly cleanups (e.g., \$1,500 invested in prevention can save \$17,500 in average cleanup costs). DES estimates that the balance in the fuel oil discharge cleanup fund will fall to \$220,000 by June 30, 2013, too low to meet the fund's program responsibilities. The NH business and industry association (BIA) testified at the Ways and Means hearing in support of the quarter of a penny fee adjustment called for by this bill, citing the fund's cost effectiveness and contribution to economic development. The majority of the committee agrees that this fee restoration is needed to enable continuation of this cost effective program. Vote 11-7.

Rep. Russell T. Ober for the Minority of Ways and Means: The purpose of this bill is to increase the cost of the fuel oil importation fee by 0.25 cents per gallon. This fee provides money for the fuel oil discharge cleanup fund known as the FOD fund. The total income for this fund for the last nine years has averaged \$3M per year, and the total expenses for the fund for the same period of time have averaged \$2.9M. Since the current fee is covering expenses, the minority believes that no change should be made. The SAFETANK program, which is discretionary spending, can be adjusted according to the budget for FOD. Work can be continued on the cleanup program without this increase. The cost to the user of fuel oil should not be increased at this time. Therefore, the minority believes this bill should be ITL.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 194 NAYS 156**

**YEAS 194**

**BELKNAP**

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
DiSilvestro, Linda  
Gargas, Carolyn  
Haefner, Robert  
Heden, Ruth  
Kopka, Angeline  
MacKay, Mariellen  
O'Brien, Michael Sr  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
Dobson, Jeremy  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Boisvert, Ronald  
Chandley, Shannon  
Gage, Ruth  
Grady, Brenda  
Hansberry, Daniel  
Judy, Jean  
Levesque, Melanie  
McCloskey, David  
Ramsey, Peter  
Shaw, Barbara  
Sullivan, Peter  
Woodbury, David

Brown, Pamela  
Connor, Evelyn  
Gale, Sylvia  
Hackel, Paul  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kidder, David  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Walner, Mary Jane

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Flockhart, Eileen  
Khan, Aboul  
Pantelakos, Laura  
Ward, Gerald

Borden, David  
Cali-Pitts, Jacqueline  
Hayes, Jack  
Lovejoy, Patricia  
Peckham, Michele  
Wazlaw, Brian

Briden, Steven  
Cushing, Robert Jr  
Heffron, Frank  
Mann, Maureen  
Schlachman, Donna  
Whittemore, Lisa

Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Muns, Chris  
Till, Mary

**STRAFFORD**

Baber, William  
Gardner, Janice  
Hubbard, Pamela  
Menear, H. Robert III

Bixby, Peter  
Ginsburg, Philip  
Kaen, Naida  
Miller, David

Burdwood, Greg  
Grassie, Anne  
Ketel, Stephen  
Pelletier, Marsha

Burke, Rachel  
Grossman, Kenneth  
Malloy, Dennis  
Perry, Robert

Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Rollo, Deanna  
Spang, Judith

Schmidt, Peter  
Stevens, Audrey

Smith, Marjorie  
Verschueren, James

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

### NAYS 156

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
White, Syndi

Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hikel, John  
LeBrun, Donald  
Meaney, Richard  
Nelson, Mary  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Takesian, Charlene  
Warden, Mark

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Jasper, Shawn  
LeVasseur, Richard  
Murotake, David  
Notter, Jeanine  
Palmer, Stephen  
Renzullo, Andrew  
Straight, Philip  
Ulery, Jordan  
Willette, Robert

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gidge, Kenneth  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
O'Brien, William  
Parison, James  
Rowe, Robert  
Stroud, Kathleen  
Vaillancourt, Steve  
Winters, Joel

Burt, John  
Coffey, James  
Flanagan, Jack  
Graham, John  
Lambert, George  
McCarthy, Michael  
Murphy, Kelleigh  
O'Flaherty, Tim  
Pellegrino, Tony  
Sanborn, Laurie  
Sweeney, Shawn  
Villeneuve, Moe

### MERRIMACK

Hess, David  
Moffett, Howard

Hoell, J.R.  
Reed, Dennis

McGuire, Carol  
Walsh, Thomas IV

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
Birdsell, Regina  
Copeland, Timothy  
Elliott, Robert  
Friel, William  
Grace, Curtis

Allen, Mary  
Charron, Gene  
Danaïs, Romeo  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary

Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Garcia, Marilinda  
Hagan, Joseph

Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey

Hodgdon, Bruce  
McKinney, Betsy  
O'Connor, John  
Priestley, Anne  
Scarlotta, Joe  
Sweeney, Joe  
Tucker, Pamela

Hoelzel, Kathleen  
McMahon, Charles  
Packard, Sherman  
Rice, Frederick  
Schroadter, Adam  
Sytek, John  
Waterhouse, Kevin

Itse, Daniel  
Milz, David  
Perkins, Amy  
Sanders, Elisabeth  
Sedensky, John  
Tamburello, Daniel  
Webb, James Sr

Kappler, Lawrence  
Nigrello, Robert  
Perkins, Lawrence  
Sapareto, Frank  
St.James, Kevin  
Thompson, David  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Horrigan, Timothy

Bickford, David  
Jones, Laura

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

### SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.  
Rep. Robertson declared a conflict of interest and did not participate.

**HB 295**, requiring criminal background checks for volunteers and employees at youth skill camps.  
**MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Thomas C. Schamberg for the Majority of Ways and Means: A legislative committee from last summer recommended operators of youth skill camps, except for municipally operated camps, perform background checks on all employees and volunteers. Long and short term camps have to certify to the department of environmental services (DES) that no employee has a violent or abusive criminal record. The bill creates a dedicated fund to support implementation of both long and short term youth camp regulations. The regulatory assessment of long term camps is underfunded, and dollars are being diverted from other parts of the agency to cover costs. The board of directors of the NH camp directors association endorsed the DES request for a recreation (long-term) camp license fee of \$200, which they realize will fully pay for their costs. Together with the youth skill (short-term) camp fee of \$25, this will meet the annual expenses of \$36,500 expended by DES. These camps feel they need to be regulated to reassure parents that their children are being safeguarded. Vote 11-7.  
Rep. Laurie J. Sanborn for the Minority of Ways and Means: The minority wholeheartedly supports the policy of requiring criminal background checks for volunteers and employees at youth skill camps, as we currently do for recreation camps. However, we cannot support the fee increase, which changes from \$50 to \$200 for each recreation camp and \$0 to \$25 for skill camps. We are also not comfortable with creating an additional dedicated fund.

### Majority Amendment (1021h)

Amend RSA 485-A:24, I as inserted by section 3 of the bill by replacing it with the following:

***I. No person shall for profit or for charitable purposes operate any recreation camp, as defined in RSA 485-A:23, I, designed or intended as a vacation or recreation resort, without a license issued by the department. Said license is to be conditioned upon the maintenance of clean, healthful sanitary conditions and methods, as determined and approved by said department, good only for the calendar year in which it is issued and subject to suspension or revocation at any time for cause. The fee for such license shall be \$200 which shall be paid into the [state treasury] recreation camp and youth skill camp fund established in RSA 485-A:24-a.***

### AMENDED ANALYSIS

This bill requires youth skill camp operators to certify to the department of environmental services that their employees and volunteers have undergone a criminal background check. The bill also establishes a recreation camp and youth skill camp fund and increases the license fee for recreation camps.

### MOTION TO LAY ON THE TABLE

Rep. Vaillancourt moved that **HB 295**, requiring criminal background checks for volunteers and employees at youth skill camps, be laid on the table.

On a division vote, 165 members having voted in the affirmative and 184 in the negative, the motion failed.

The question now being adoption of the majority committee amendment.

On a division vote, 204 members having voted in the affirmative and 145 in the negative, the majority committee amendment was adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Vaillancourt spoke against.

Rep. Almy spoke in favor.

Rep. Sapareto requested a roll call; sufficiently seconded.

## YEAS 199 NAYS 150

### YEAS 199

#### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Flanders, Donald

Gulick, Ruth

#### CARROLL

Ahlgren, Christopher  
Nelson, Bill

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
White, Syndi

Crawford, Karel

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Mann, John  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Parkhurst, Henry  
Tatro, Bruce

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Weber, Lucy

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

#### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Connor, Evelyn  
Gargas, Carolyn  
Hammond, Jill  
Jack, Martin  
Levesque, Melanie  
McCloskey, David  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Long, Patrick  
McNamara, Richard  
Ramsey, Peter  
Shaw, Barbara  
Sullivan, Peter  
Woodbury, David

Boisvert, Ronald  
Chandley, Shannon  
Dobson, Jeremy  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
MacKay, Mariellen  
Nelson, Mary  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne

Brown, Pamela  
Christiansen, Lars  
Gage, Ruth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

#### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr

Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Kidder, David  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
McKinney, Betsy  
Peckham, Michele  
Till, Mary

Borden, David  
Cushing, Robert Jr  
Heffron, Frank  
Muns, Chris  
Schlachman, Donna  
Ward, Gerald

Briden, Steven  
Elliott, Robert  
Helmstetter, Barbara  
Nigrello, Robert  
Sweeney, Joe  
Wazlaw, Brian

Cahill, Michael  
Emerson-Brown, Rebecca  
Mann, Maureen  
Pantelakos, Laura  
Thompson, David  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith

Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

### NAYS 150

### BELKNAP

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

Fields, Dennis  
Luther, Robert  
Worsman, Colette

### CARROLL

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
Umberger, Karen

McConkey, Mark  
Wright, Donald

Morrow, Harry

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

Roberts, Kris

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Gale, Sylvia  
Hansen, Peter  
Lambert, George  
Marston, Dick  
Murphy, Keith

Belanger, James  
Cebrowski, John  
Danielson, David  
Garcia, Michael  
Hikel, John  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Graham, John  
Jasper, Shawn  
Leishman, Peter  
Meaney, Richard  
Notter, Jeanine

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Haefner, Robert  
Kurk, Neal  
LeVasseur, Richard  
Murotake, David  
O'Brien, William



O'Flaherty, Tim  
 Pellegrino, Tony  
 Sanborn, Laurie  
 Takesian, Charlene  
 Warden, Mark

Ober, Lynne  
 Peterson, Lenette  
 Sandblade, Emily  
 Ulery, Jordan  
 Willette, Robert

Palmer, Stephen  
 Renzullo, Andrew  
 Stroud, Kathleen  
 Vaillancourt, Steve  
 Winters, Joel

Parison, James  
 Rowe, Robert  
 Sweeney, Shawn  
 Villeneuve, Moe

### MERRIMACK

Hess, David  
 McGuire, Dan

Hoell, J.R.  
 Reed, Dennis

Lockwood, Priscilla  
 Walsh, Thomas IV

McGuire, Carol

### ROCKINGHAM

Abrami, Patrick  
 Birdsell, Regina  
 Comerford, Timothy  
 Duarte, Joe  
 Friel, William  
 Grace, Curtis  
 Hayes, Jack  
 Kappler, Lawrence  
 O'Connor, John  
 Priestley, Anne  
 Scarlotto, Joe  
 Sytek, John  
 Waterhouse, Kevin

Allen, Mary  
 Burtis, Elizabeth  
 Copeland, Timothy  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Griffin, Mary  
 Hodgdon, Bruce  
 Khan, Aboul  
 Packard, Sherman  
 Rice, Frederick  
 Schroadter, Adam  
 Tamburello, Daniel  
 Webb, James Sr

Baldasaro, Alfred  
 Charron, Gene  
 Danais, Romeo  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Hagan, Joseph  
 Hoelzel, Kathleen  
 McMahon, Charles  
 Perkins, Amy  
 Sanders, Elisabeth  
 Sedensky, John  
 Tasker, Kyle  
 Weyler, Kenneth

Bick, Patrick  
 Chirichiello, Brian  
 Devine, James  
 Fesh, Robert  
 Gordon, Richard  
 Harris, Jeffrey  
 Itse, Daniel  
 Milz, David  
 Perkins, Lawrence  
 Sapareto, Frank  
 St.James, Kevin  
 Tucker, Pamela

### STRAFFORD

Beaudoin, Steven  
 Jones, Laura

Bickford, David  
 Parsons, Robbie

Gray, James  
 Pelletier, Marsha

Groen, Warren  
 Pitre, Joseph

### SULLIVAN

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.

### **HB 411-FN-A, repealing a future reduction in vessel registration fees. MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary R. Cooney for the Majority of Ways and Means: This bill repeals a reduction in vessel registration fees scheduled to take effect on July 1, 2015. This would mean cutting the fees back to 1992 levels, one-half of their present levels. When these fees were raised in 2008, the intent was to build up a fund to be used to offset the cost of a new marine patrol headquarters and boathouse. The reason for the sunset was to allow the committee to reassess the size of the increase once this cost was known, not to end it. The current combination headquarters-boathouse is in serious disrepair. It has been settling into the ground for two decades and is unstable. The roof does not meet snow load requirements, the electrical and mechanical systems are archaic, and the building is not ADA compliant. This revenue stream is necessary to make the expected bond payments for the new headquarters as well as to pay for needed upgrades to equipment and to restore many of the summer boating officers who had been cut from 50 or 60 down to 30 officers last summer due to lack of funding. Tourism is one of our biggest industries. This bill supports tourism by promoting safe boating, monitoring invasive aquatic weeds, and providing protection to all using the lakes and shorelines. Vote 11-7.

Rep. Jordan G. Ulery for the Minority of Ways and Means: The general court raised fees four years ago. This bill reneges on the promise of reducing fees. The marine patrol needs a new building, and the agency funding was lapsed last term, which meant the planning was stopped. The agency needs to justify its needs within the scope of the general fund and the general court needs to honor its word to the people. We need to keep the trust of the people.

The question being adoption of the majority committee report of Ought to Pass.  
 Rep. Tucker requested a roll call; sufficiently seconded.

**YEAS 189 NAYS 153****YEAS 189****BELKNAP**

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa  
Vadney, Herbert

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Dobson, Jeremy  
Gorman, Mary  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
MacKay, Mariellen  
Nelson, Mary  
Rosenwald, Cindy  
Spratt, Stephen  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
Gage, Ruth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Schmidt, Janice  
Sullivan, Daniel  
Williams, Kermit

Boisvert, Ronald  
Chandley, Shannon  
Gale, Sylvia  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
McCloskey, David  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Peter  
Woodbury, David

Brown, Pamela  
Connor, Evelyn  
Gargas, Carolyn  
Hansberry, Daniel  
Judy, Jean  
Long, Patrick  
McNamara, Richard  
Ramsey, Peter  
Smith, Timothy  
Vail, Suzanne

**MERRIMACK**

Alicea, Caroletta  
Davis, Frank  
French, Barbara  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Bartlett, Christy  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bouchard, Candace  
Frambach, Mary  
Henle, Paul  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Carey, Lorrie  
Frazer, June  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Emerson-Brown, Rebecca  
Helmstetter, Barbara

Borden, David  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Khan, Aboul

Briden, Steven  
Cushing, Robert Jr  
Hayes, Jack  
Lovejoy, Patricia

Burtis, Elizabeth  
Elliott, Robert  
Heffron, Frank  
Mann, Maureen

Muns, Chris  
St.James, Kevin

Pantelakos, Laura  
Sytek, John

Scarlotto, Joe  
Ward, Gerald

Schlachman, Donna  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Bickford, David  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Spang, Judith

Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

### NAYS 153

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Flanders, Donald  
Tilton, Franklin

Cormier, Jane  
Greemore, Robert Jr  
Worsman, Colette

Fields, Dennis  
Holmes, Stephen

### CARROLL

Ahlgren, Christopher  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

### COOS

Enman, Larry

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Flanagan, Jack  
Haefner, Robert  
Kurk, Neal  
Marston, Dick  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Takesian, Charlene  
Warden, Mark

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hansen, Peter  
Lambert, George  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Renzullo, Andrew  
Shaw, Barbara  
Ulery, Jordan  
Willette, Robert

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Grady, Brenda  
Hikel, John  
LeBrun, Donald  
Murotake, David  
O'Brien, William  
Parison, James  
Rowe, Robert  
Stroud, Kathleen  
Vaillancourt, Steve  
Winters, Joel

Burt, John  
Coffey, James  
DiSilvestro, Linda  
Graham, John  
Jasper, Shawn  
LeVasseur, Richard  
Murphy, Keith  
O'Flaherty, Tim  
Pellegrino, Tony  
Sanborn, Laurie  
Sweeney, Shawn  
Villeneuve, Moe

### MERRIMACK

Andrews, Christopher  
Hirsch, Geoffrey  
Reed, Dennis

Burns, Scott  
Hoell, J.R.  
Walsh, Thomas IV

Carson, Clyde  
McGuire, Carol

Hess, David  
McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Charron, Gene	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Danais, Romeo	Devine, James	Duarte, Joe
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Friel, William
Garcia, Bianca	Garcia, Marilinda	Gordon, Richard	Grace, Curtis
Griffin, Mary	Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce
Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence	McKinney, Betsy
McMahon, Charles	Milz, David	Nigrello, Robert	O'Connor, John
Packard, Sherman	Peckham, Michele	Perkins, Amy	Perkins, Lawrence
Priestley, Anne	Rice, Frederick	Sanders, Elisabeth	Sapareto, Frank
Schroadter, Adam	Sedensky, John	Sweeney, Joe	Tamburello, Daniel
Thompson, David	Till, Mary	Tucker, Pamela	Waterhouse, Kevin
Webb, James Sr	Weyler, Kenneth	Whittemore, Lisa	

**STRAFFORD**

Beaudoin, Steven	Gray, James	Groen, Warren	Jones, Laura
Parsons, Robbie	Pitre, Joseph		

**SULLIVAN**

Grenier, James	Rollins, Skip	Smith, Steven
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and the majority committee report was adopted and ordered to third reading.

**BILLS REMOVED FROM THE CONSENT CALENDAR OF MARCH 13, 2013**

**HB 389**, relative to discovery in misdemeanor and violation cases. **INEXPEDIENT TO LEGISLATE.** Rep. Philip E. Ginsburg for Criminal Justice and Public Safety: The bill would provide that a person issued a summons for a misdemeanor or violation could obtain at no cost a copy of the police report and other discoverable information in the case. The committee heard that court rules and professional ethics require that this information be provided to the person by law enforcement and the court, and that remedies for failure to provide it are available in the trial process. The committee heard no evidence that this change in the law was necessary. Vote 20-0.

Rep. James Belanger spoke against and yielded to questions.

Rep. Pantelakos spoke in favor.

On a division vote, 226 members having voted in the affirmative and 98 in the negative, the committee report was adopted.

**HB 679**, relative to renovations to the vocational technical center at Alvirne high school. **INEXPEDIENT TO LEGISLATE.**

Rep. Ralph G. Boehm for Education: This bill requires the department of education to include Alvirne high school technical center in the department's list of capital improvement projects. This bill is not necessary because all technical centers are automatically on the list. Alvirne high school is on the list for 2020-21. Vote 20-0.

Rep. Christiansen spoke against.

**MOTON TO LAY ON THE TABLE**

Rep. Christiansen moved that **HB 679**, relative to renovations to the vocational technical center at Alvirne high school, be laid on the table.

Motion failed.

The question now being adoption of the committee report of Inexpedient to Legislate.

Committee report adopted.

**HB 189**, repealing the commission to study water infrastructure sustainability funding. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Suzanne H. Gottling for Resources, Recreation and Development: The committee unanimously supported the bill, as amended, to extend the water infrastructure sustainability commission to November 1, 2013 in order to issue its final report. The commission conducted several years of research and issued an interim report. The bill, as amended, allows the work of the commission to be completed. Vote 19-0.

**Amendment (0511h)**

Amend the title of the bill by replacing it with the following:

AN ACT extending the commission to study water infrastructure sustainability funding.

Amend the bill by replacing all after the enacting clause with the following:

1 Commission to Study Water Infrastructure Sustainability Funding. Amend 2009, 245:5, as amended by 2010, 21:1; 2011, 144:1; and 2012, 148:2 to read as follows:

245:5 Report. The commission shall make an interim report on or before November 1, 2009, and another on November 1, 2010, with a final report of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, **2013**.

2 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill extends the commission to study water infrastructure sustainability funding for one year. Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Kappler spoke against.

**MOTION TO LAY ON THE TABLE.**

Rep. Kappler moved that **HB 189**, extending the commission to study water infrastructure sustainability funding, be laid on the table.

On a division vote, 135 members having voted in the affirmative and 172 in the negative, the motion failed.

The question now being adoption of the committee report of Ought to pass with Amendment.

Rep. Gottling spoke in favor.

On a division vote, 238 members having voted in the affirmative and 83 in the negative, the committee report was adopted and ordered to third reading.

**HB 527, repealing the exotic aquatic weeds and species committee. INEXPEDIENT TO LEGISLATE.**

Rep. James D. Aguiar for Resources, Recreation and Development: This bill would have repealed RSA 487:30 which created the exotic aquatic weeds and species committee. Said committee was empowered to: (a) Study the spread of exotic aquatic weeds and exotic aquatic species in the waters of New Hampshire including education, management, and potential means to eliminate the spread of these weeds and species; (b) aid in the control and eradication of milfoil; and (c) solicit, hold, and expend gifts, grants, and donations from any source to carry out the purposes of the committee. The committee heard testimony supporting the continuation of this body. Clean, healthy waterways are critical to the economy of New Hampshire and the exotic aquatic weeds and species committee has played a positive role in protecting this vital natural resource. Vote 19-0.

Rep. Kappler spoke against.

Rep. Suzanne Smith spoke in favor.

Committee report adopted.

**HB 549, establishing a committee to study a constitutional amendment to prevent dedicated funding for a specific purpose from being diverted from that purpose. INEXPEDIENT TO LEGISLATE.**

Rep. Russell T. Ober for Ways and Means: There have been several instances where dedicated funds lost their money to the general fund, usually when money in the budget was inadequate. The total banning of the practice would also have major side effects. Further, a committee to study wording for a constitutional amendment seems unnecessarily complex. Vote 17-1.

Reps. Bixby and Spang spoke against.

Rep. Almy spoke in favor.

Rep. Grossman requested a roll call; not sufficiently seconded.

On a division vote, 246 members having voted in the affirmative and 54 in the negative, the committee report was adopted.

**BILLS REMOVED FROM THE CONSENT CALENDAR**

**HB 316-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol M. McGuire for Executive Departments and Administration: The policy of authorizing alkaline hydrolysis having been approved by the House, ED&A concentrated on the regulatory aspects. Rulemaking authority is appropriate for this process, and the fees will cover the cost of regulations. The committee amendment specifies technical requirements for the facility, the pressure vessel, and proper discharge of fluid residues, resolving some concerns brought up at the public hearing. Vote 11-1.

### **Amendment (0993h)**

Amend RSA 325-B:3 as inserted by section 1 of the bill by inserting after paragraph II the following new paragraph:

III. Alkaline hydrolysis for dissolution of human remains shall comply with the following requirements:

(a) The alkaline hydrolysis facility shall only utilize a commercially available, purpose-built system.

(b) Dissolution systems which operate above atmospheric pressure shall only employ an American Society of Mechanical Engineers' (ASME) certified pressure vessel as a dissolution chamber.

(c) The dissolution system shall use parameters of heat, time, and solution circulation sufficient to achieve complete dissolution of all tissue remains.

(d) The alkaline dissolution process shall ensure that the discharge liquid that is a byproduct of the dissolution process meets the facility's sewage collection and treatment facility requirements regarding acceptable temperature, biological oxygen demand/chemical oxygen demand (BOD/COD), and pH level and shall comply with Environmental Protection Agency regulations in 40 CFR Part 403.5.

(e) Equipment used for alkaline hydrolysis of human remains may not be used for the disposal of animals or other biological materials.

(f) No facility using the alkaline hydrolysis process may discharge liquid as a byproduct of the process into a septic system. This prohibition does not prevent the facility from discharging into a holding tank that is periodically pumped and transported to a suitable disposal facility. Facilities who choose to discharge into a holding tank which is transferred to a sewage treatment facility are not exempt from the effluent requirements for BOD/COD and pH levels specified by that facility or compliance with Environmental Protection Agency regulations in 40 CFR Part 403.5.

### **MOTION TO LAY ON THE TABLE**

Rep. Kappler moved that **HB 316-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains, be laid on the table.

Rep. Kappler requested a roll call; sufficiently seconded.

### **YEAS 82 NAYS 214**

#### **YEAS 82 BELKNAP**

Cornier, Jane	Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen
Sylvia, Michael	Worsman, Colette		

#### **CARROLL**

Ahlgren, Christopher	Cordelli, Glenn	McConkey, Mark	Nelson, Bill
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#### **CHESHIRE**

Butynski, William

#### **COOS**

Rappaport, Laurence	Rideout, Leon	Theberge, Robert	Thomas, Yvonne
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#### **GRAFTON**

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr
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**HILLSBOROUGH**

Backus, Robert  
Daniels, Gary  
Hansberry, Daniel  
Murphy, Kelleigh  
Palmer, Stephen  
Shattuck, Gilman

Belanger, James  
Flanagan, Jack  
Hikel, John  
Nelson, Mary  
Parison, James  
Sullivan, Peter

Boehm, Ralph  
Gargas, Carolyn  
McCarthy, Michael  
Notter, Jeanine  
Peterson, Lenette  
Villeneuve, Moe

Cebrowski, John  
Haefner, Robert  
Murotake, David  
Ober, Lynne  
Sandblade, Emily

**MERRIMACK**

Hoell, J.R.  
Turcotte, Alan

Karrick, David Jr

Reed, Dennis

Tilton, Joy

**ROCKINGHAM**

Baldasaro, Alfred  
Danais, Romeo  
Fesh, Robert  
Griffin, Mary  
Kappler, Lawrence  
Priestley, Anne  
Schroadter, Adam  
Tucker, Pamela

Bick, Patrick  
Devine, James  
Friel, William  
Harris, Jeffrey  
Milz, David  
Rice, Frederick  
Sedensky, John  
Webb, James Sr

Birdsell, Regina  
Duarte, Joe  
Garcia, Bianca  
Hodgdon, Bruce  
O'Connor, John  
Sanders, Elisabeth  
Tamburello, Daniel

Chirichiello, Brian  
Dumaine, Dudley  
Gordon, Richard  
Hoelzel, Kathleen  
Peckham, Michele  
Scarlottio, Joe  
Thompson, David

**STRAFFORD**

Grossman, Kenneth

Parsons, Robbie

Perry, Robert

**SULLIVAN**

Gagnon, Raymond

Schmidt, Andrew

Smith, Steven

**NAYS 214****BELKNAP**

Burchell, Richard  
Raymond, Ian

DiMartino, Lisa  
Tilton, Franklin

Fields, Dennis  
Vadney, Herbert

Fink, Charles

**CARROLL**

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
Umberger, Karen

Morrow, Harry  
White, Syndi

Schmidt, Stephen

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Johnson, Jane  
Parkhurst, Henry  
Tatro, Bruce

Berch, Paul  
Emerson, Susan  
Lerandeau, Alfred  
Phillips, Larry  
Weber, Lucy

Burridge, Delmar  
Hunt, John  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Johnsen, Gladys  
Mann, John  
Shepardson, Marjorie  
Young, Harry

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry

Hammon, Marcia

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Almy, Susan  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Benn, Bernard  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

Brown, Rebecca  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank

Beaulieu, Jane  
Campbell, David

Brown, Pamela  
Carroll, Douglas

Burt, John  
Chandley, Shannon

Coffey, James  
DiSilvestro, Linda  
Graham, John  
Heden, Ruth  
Kopka, Angeline  
Leishman, Peter  
Manley, Jonathan Sr  
Meaney, Richard  
Porter, Marjorie  
Schmidt, Janice  
Stroud, Kathleen  
Ulery, Jordan  
Williams, Kermit

Connor, Evelyn  
Gale, Sylvia  
Hackel, Paul  
Jack, Martin  
Kurk, Neal  
Levesque, Melanie  
Marston, Dick  
Murphy, Keith  
Ramsey, Peter  
Shaw, Barbara  
Sullivan, Daniel  
Vail, Suzanne  
Winters, Joel

Culbert, Patrick  
Garcia, Michael  
Hammond, Jill  
Jeudy, Jean  
Lambert, George  
Long, Patrick  
McCloskey, David  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Smith, Timothy  
Sweeney, Shawn  
Vaillancourt, Steve  
Woodbury, David

Danielson, David  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
LeBrun, Donald  
MacKay, Mariellen  
McNamara, Richard  
O'Brien, William  
Sanborn, Laurie  
Spratt, Stephen  
Takesian, Charlene  
Willette, Robert

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
McGuire, Carol  
Patten, Dick  
Rogers, Katherine  
Wallner, Mary Jane

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Kelly, Sally  
McGuire, Dan  
Ratzki, Mario  
Schamberg, Thomas  
Walz, Mary Beth

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Lockwood, Priscilla  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Webb, Leigh

Burns, Scott  
Frambach, Mary  
Henle, Paul  
MacKay, James  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen

### ROCKINGHAM

Abrami, Patrick  
Cahill, Michael  
Cushing, Robert Jr  
Flockhart, Eileen  
Khan, Aboul  
Pantelakos, Laura  
Till, Mary  
Whittemore, Lisa

Borden, David  
Charron, Gene  
Elliott, Robert  
Hagan, Joseph  
Lovejoy, Patricia  
Schlachman, Donna  
Ward, Gerald

Briden, Steven  
Comerford, Timothy  
Emerick, J. Tracy  
Heffron, Frank  
Mann, Maureen  
St.James, Kevin  
Waterhouse, Kevin

Burtis, Elizabeth  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Itse, Daniel  
McMahon, Charles  
Sytek, John  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Beaudoin, Steven  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Pitre, Joseph  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Meneau, H. Robert III  
Rogers, Rose Marie  
Spang, Judith

Burdwood, Greg  
Grassie, Anne  
Jones, Laura  
Miller, David  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
and the motion failed.

Grenier, James  
Rollins, Skip

Irwin, Virginia  
Sweeney, Cynthia

Lefebvre, Benjamin  
Tanner, Linda

The question now being adoption of the committee amendment.  
On a division vote, 264 members having voted in the affirmative and 32 in the negative, the committee amendment was adopted.  
Committee report adopted and ordered to third reading.

### **HB 344-FN-L**, relative to aid to school districts for the cost of special education. **INEXPEDIENT TO LEGISLATE.**

Rep. Susan M. Ford for Finance: This bill removes the requirement that catastrophic special education funds to be prorated among the school districts entitled to such aid shall be at least 80 percent of the districts' entitlement for catastrophic aid. The committee believes that catastrophic aid will be addressed within HB 1 and recommends ITL for this stand-alone appropriations bill. Vote 22-0.



**LAI D ON THE TABLE**

Rep. Ladd moved that **HB 344-FN-L**, relative to aid to school districts for the cost of special education, be laid on the table.

Motion adopted.

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, April 3, 2013 at 10:00 a.m.

**MOTION TO LAY ON THE TABLE**

Rep. Lambert moved that the third reading motion be laid on the table.

Rep. Lambert withdrew his motion.

Third reading motion adopted.

**LATE SESSION****Third reading and final passage**

**HB 246**, relative to falsity by employer.

**HB 399-FN**, establishing the New Hampshire liberty act.

**HB 686**, relative to approval of liquor commission contracts.

**HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding.

**HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit.

**HB 184-FN**, relative to the oil discharge cleanup fund.

**HB 259-FN**, relative to special licenses for taking lobster while engaged in recreational scuba diving.

**HB 304-FN**, relative to OHRV registration transfer fees, removing the penalty of completion of a training program for certain OHRV and snowmobile violations, and deleting OHRV and snowmobile vanity plates or decals.

**HB 507-FN**, relative to the maximum permit application fee for certain municipal dredging projects.

**HB 652-FN**, relative to the judicial branch information technology fund.

**HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force.

**HB 617-FN-A-L**, increasing the rate of the road toll, establishing the New Hampshire state and municipal road and bridge account, and establishing the commission to study revenue alternatives to the road toll.

**HB 260**, relative to the children in need of services (CHINS) program.

**HB 432-FN**, relative to health care costs for county and state inmates.

**HB 185-FN**, relative to the fuel oil discharge cleanup fund.

**HB 295**, requiring criminal background checks for volunteers and employees at youth skill camps.

**HB 411-FN-A**, repealing a future reduction in vessel registration fees.

**HB 189**, extending the commission to study water infrastructure sustainability funding.

**HB 316-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains.

**UNANIMOUS CONSENT**

Reps. Gary Richardson, Baldasaro and Spang addressed the House

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Baldasaro be printed in the Permanent Journal.  
Adopted.

**REMARKS**

**Rep. Baldasaro:** Thank you, Madam Speaker. Before I get started here, last year many of us on both sides here came together with a bill to come up with a day in order to celebrate Welcome Home

Vietnam Veterans Day. Representatives here like Kris Roberts, Steve Shurtleff, Robert Theberge, Ken Weyler or Don LeBrun. If I missed any that were pushing this here, thank you for helping us get this forward because you made some extraordinary connections with Vietnam veterans throughout the state. I know this day, some Vietnam veterans did not want it, but there are many out there that really did appreciate it so I did get with the Governor and she jumped right on it. I have a history of working with Governor Hassan on veteran's issues when she was a senator and she didn't hesitate when putting this together. Before I read that, I would like all the veterans in the room to please stand. Thank you for your service. I'm going to first read the words from William Reddell, who is our Adjutant General here and I was not a Vietnam veteran. I joined the Marines in 1975 in October so in January or so I went to my first unit and I seen, first hand, how the Vietnam veterans that were waiting to be discharged, how they were treated out in town at Camp Lejeune. It was really my first experience as a young Marine. I didn't know any better. I thought that's the way military were treated, you know, and I was shocked at the names they called them. I won't even reinvent it again, but I was disgusted. Over the years as my time as a Marine, I seen things start to change, especially when I got back from Desert Storm and the parades and everything else. We actually brought back the respect to the military that our Vietnam veterans so dearly deserved. I will start out real quick here because if anybody is interested here, on Saturday, March 30<sup>th</sup> at 2:00 p.m., the State of New Hampshire is officially recognizing the service of its Vietnam veterans with a Welcome Home ceremony at the Army Aviation Support facility on Regional Drive in Concord. A year ago, on the war's 50<sup>th</sup> anniversary, the Legislature passed a law making March 30<sup>th</sup> to honor Vietnam veterans. Now, keep in mind, these are General Reddell's words that I am going to read here, "The men and women who served in Vietnam were never properly thanked. They never received a homecoming. There were no ceremonies or parades. There were no banners hanging from highway overpasses. No police escorts. They were shunned from the moment they touched down on American soil. Instead of being embraced at terminals across the country, many of our warriors slipped into a bathroom to change out of their uniform. As a nation, we treated them as outcasts. Now in their 60's and 70's, those same veterans swore that the next generation of war hero's coming home would receive the gratitude they deserve. From Desert Storm to Operation Enduring Freedom, Iraqi Freedom and New Dawn, never again would our nation treat our returning veterans so badly. They delivered on their promise. Now it is our turn to show them the same respect and gratitude they have so justifiably earned. Saturday's ceremony is an opportunity for all of us to say Thank you, job well done. As citizen soldiers and airmen, it's an opportunity for us to return the favor. It's an opportunity for us to pay a debt that is 40 years overdue and a central step towards healing a national wound. I strongly encourage you to consider the significance of what your attendance will mean to our Vietnam veterans, for if not for us, then who. If not now, then when. Please join me and the Governor and our Congressional Delegation in welcoming home our Vietnam veterans on Saturday." That is from General Reddell, who is the Adjutant. Now, from the Governor.

**The State of New Hampshire**

**By Her Excellency**

**Margaret Wood Hassan, Governor**

**A Proclamation**

**WELCOME HOME VIETNAM VETERANS DAY**

**MARCH 30, 2013**

**WHEREAS**, In 2007, the United States Congress, by separate Senate and House Resolutions, declared that a Welcome Home Vietnam Veterans Day should be established; and

**WHEREAS**, The Vietnam War was fought in Vietnam from 1961 to 1975, and involved North Vietnam and Viet Cong in conflict with the United States and South Vietnam; and

**WHEREAS**, In 1965, there were 80,000 United States troops in Vietnam, and by 1969 a peak of approximately 543,000 troops was reached; and

**WHEREAS**, On March 30, 1973, the United States armed forces completed the withdrawal of combat troops from Vietnam; and

**WHEREAS**, More than 58,000 members of the United States armed forces lost their lives in Vietnam and more than 300,000 were wounded; and

**WHEREAS**, Upon their return home, members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were caught in the crossfire of public debate about the involvement of the United States in the war; and

**WHEREAS**, Vietnam veterans served honorably, risking their lives in answer to the nation's call; and

**WHEREAS**, In peacetime, Vietnam veterans have continued to make enormous contributions to our communities, our state, and our nation; and

**WHEREAS**, The establishment of a Welcome Home Vietnam Veterans Day is an appropriate way to honor those members of the United States armed forces who served in Vietnam during the Vietnam War;

**NOW, THEREFORE, I, MARGARET WOOD HASSAN, GOVERNOR** of the State of New Hampshire, do hereby proclaim **MARCH 30, 2013** as **WELCOME HOME VIETNAM VETERANS DAY** in the State of New Hampshire to acknowledge and commemorate the military service of American men and women in Vietnam.

Given this 30th day of March, in the year of Our Lord two thousand and thirteen, and the independence of the United States of America, two hundred and thirty-seven.

Margaret Wood Hassan, Governor

This is awesome what the Governor did and what many of our other veterans did. I don't know if Russ Ober is here. Russ Ober was a big supporter. He left there. I wish he was sitting there. In closing on this here, about five years ago, I put on a Welcome Home Vietnam Veterans in Londonderry at the school. One of the guests we had was Mike Huckabee and we had Chuck Norris there. Why this is emotional to many, it would sadden me and it's tough for an old Marine to put a tear in his eye, but I sat there up at the stage and I seen Vietnam veterans. When we broke out the banner that said Welcome Home Vietnam Veterans, there were tears. They went through the tough days and that was their opportunity and I know there are Vietnam veterans that are here in this room that have not left yet and they deserve every bit of praise like every other warrior that came forward and shed blood and I thank you for your service brothers and sisters. Welcome home. Thank you.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.  
Adopted.

The House recessed at 6:30 p.m.

### RECESS

**(Rep. Shurtleff in the Chair)**

### RESOLUTION

Rep. Davis offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 2, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 24, 28, 29, 30, 33, 34, 35, 42, 43, 44, 45, 47, 48, 49, 50, 51, 52, 54, 58, 60, 62, 64, 67, 68, 69, 71, 76, 81, 82, 83, 84, 85, 88, 89, 90, 92, 93, 94, 96, 97, 101, 102, 104, 105, 106, 107, 112, 117, 119, 122, 124, 127, 128, 131, 132, 133, 136, 139, 146, 153, 157, 159, 161, 165, 171, 178, 185, 187, 188, 189, 192 and 194 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.

Adopted.

### INTRODUCTION OF SENATE BILLS

#### First, second reading and referral

**SB 2**, relative to the calculation of the local tax cap. (Municipal and County Government)

**SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts. (Municipal and County Government)

**SB 12**, relative to protection and preservation of significant archeological deposits. (Municipal and County Government)

**SB 13**, relative to hearings in the department of safety. (Transportation)

**SB 14**, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development. (Executive Departments and Administration/Ways and Means)

**SB 15**, naming a portion of route 101 after the 101st Airborne Division Screaming Eagles. (Public Works and Highways)

**SB 17**, establishing a commission to study palliative care and associated quality of life initiatives. (Health, Human Services and Elderly Affairs)

- SB 18**, conferring degree-granting authority to the American University of Madaba. (Education)
- SB 19**, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack. (Public Works and Highways)
- SB 20**, making modifications to the DWI ignition interlock program. (Transportation)
- SB 21**, making technical corrections to the International Registration Plan. (Transportation)
- SB 22**, exempting small trailers from inspection requirements; allowing qualified dealers to inspect trailers; and deleting a reference to highway enforcement officers. (Transportation)
- SB 24**, relative to Medicaid rates. (Executive Departments and Administration)
- SB 28**, relative to the department of transportation inventory fund and relative to the effective date of the transfer of the electricians' board to the joint board for licensure and certification. (Finance)
- SB 29**, relative to the motorist service signing program. (Public Works and Highways)
- SB 30**, making technical corrections to tax laws. (Ways and Means)
- SB 33**, making technical changes to the judicial retirement plan. (Executive Departments and Administration)
- SB 34**, relative to the appointment of bail commissioners. (Judiciary)
- SB 35**, relative to the master jury list. (Judiciary)
- SB 42**, relative to applications for licensure by the real estate appraisers board. (Executive Departments and Administration)
- SB 43**, relative to the property taxation of qualifying historic buildings. (Municipal and County Government)
- SB 44**, relative to the disposal of controlled drugs by law enforcement officers. (Judiciary/Executive Departments and Administration)
- SB 45**, relative to electronic prescriptions. (Health, Human Services and Elderly Affairs)
- SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate. (Transportation)
- SB 48**, relative to school performance and accountability. (Education)
- SB 49**, relative to appeals of planning board decisions. (Municipal and County Government)
- SB 50**, relative to expiration of variances and special exceptions. (Municipal and County Government)
- SB 51**, relative to the definition of "professional service." (Commerce and Consumer Affairs)
- SB 52**, relative to names of limited partnerships. (Commerce and Consumer Affairs)
- SB 54**, relative to appeals from the department of administrative services bureau of public works design and construction. (Executive Departments and Administration)
- SB 58**, relative to the taxation of water works or flood control land held in another town or city. (Municipal and County Government)
- SB 60**, relative to assisted living facilities and landlord tenant law. (Judiciary)
- SB 62**, authorizing the placement of a certain sign in the town of Danbury. (Municipal and County Government)
- SB 64**, relative to public informational meetings on dams. (Resources, Recreation and Development)
- SB 67**, establishing a committee to examine the issue of statutory authority for all terrain vehicles, off highway recreational vehicles, and low speed utility vehicles to access public highways for food, fuel, and lodging. (Transportation)
- SB 68**, relative to the escrow fund for court facility improvements. (Judiciary)
- SB 69**, relative to superior court jurisdiction over domestic violence petitions. (Judiciary)
- SB 71**, establishing a committee to study the use and misuse of prescription drugs in workers' compensation cases. (Health, Human Services and Elderly Affairs)
- SB 76**, relative to disqualification of candidates. (Election Law)
- SB 81**, authorizing phlebotomists to withdraw blood for alcohol concentration tests. (Criminal Justice and Public Safety)
- SB 82**, establishing a commission to identify strategies needed for developing and implementing a competency-based public education system. (Education)
- SB 83**, relative to the controlled drug prescription health and safety program. (Health, Human Services and Elderly Affairs)
- SB 84**, relative to road toll administration, relative to motor vehicles carrying property for hire, and relative to administration of the international registration plan. (Public Works and Highways)
- SB 85**, relative to commercial motor vehicle operation. (Transportation)
- SB 88**, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces. (State-Federal Relations and Veterans Affairs)

- SB 89**, relative to the definition of lead fishing sinkers and jigs and the penalties for prohibited sales of lead fishing sinkers and jigs. (Fish and Game and Marine Resources)
- SB 90**, establishing a committee to study developing a policy for veteran preference for government hiring. (Executive Departments and Administration)
- SB 92**, prohibiting multiple prescription drug failures. (Commerce and Consumer Affairs)
- SB 93**, relative to plumbers and mechanical contractors on state boards. (Executive Departments and Administration)
- SB 94**, relative to portable electronics insurance. (Commerce and Consumer Affairs)
- SB 96**, relative to vexatious litigants. (Judiciary)
- SB 97**, relative to high school equivalency and relative to illiteracy. (Education)
- SB 101**, relative to collocation and modification of personal wireless services facilities. (Science, Technology and Energy)
- SB 102**, relative to the selection of members of the conservation commission. (Municipal and County Government)
- SB 104**, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire. (Commerce and Consumer Affairs)
- SB 105**, relative to disclosure of expert testimony in civil cases and relative to the recording of depositions. (Judiciary)
- SB 106**, relative to confidentiality in adult guardianship cases. (Judiciary)
- SB 107**, relative to probate administration. (Judiciary)
- SB 112**, requiring constitutional amendment concurrent resolutions to contain the language for the voter's guide. (Election Law)
- SB 117-FN**, establishing a commission to study the regulation of pharmacy benefits managers. (Commerce and Consumer Affairs/Ways and Means)
- SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation. (Executive Departments and Administration/Finance)
- SB 122-FN**, establishing a commercial shrimp license. (Fish and Game and Marine Resources)
- SB 124-FN**, establishing an integrated land development permit. (Resources, Recreation and Development)
- SB 127-FN**, relative to registration of certain state contracts with the department of state and repealing the information practices act. (Commerce and Consumer Affairs)
- SB 128-FN-L**, relative to fees for vital records. (Ways and Means)
- SB 131-FN-L**, relative to a permitting process for the removal of submerged logs from certain great ponds. (Resources, Recreation and Development)
- SB 132-FN**, establishing a committee to study police special details. (Executive Departments and Administration)
- SB 133-FN**, adopting the interstate wildlife violators compact. (Fish and Game and Marine Resources)
- SB 136**, relative to the rights of the immediate family of crime victims. (Judiciary)
- SB 139-FN-L**, relative to mileage fees for sheriffs and deputy sheriffs. (Municipal and County Government)
- SB 146-FN-L**, relative to aid to the permanently and totally disabled and old age assistance. (Health, Human Services and Elderly Affairs/Municipal and County Government)
- SB 153-FN**, relative to legislative approval of collective bargaining agreements entered into by the state. (Finance)
- SB 157-FN**, establishing a New Hampshire disaster relief fund. (Finance)
- SB 159**, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations. (Transportation)
- SB 161**, relative to electronic funds transfers. (Commerce and Consumer Affairs)
- SB 165**, repealing a prohibition relative to auxiliary state troopers. (Transportation)
- SB 171**, relative to the council for children and adolescents with chronic health conditions. (Health, Human Services and Elderly Affairs)
- SB 178**, establishing a committee to review and make recommendations regarding consolidating all state energy positions throughout state departments. (Executive Departments and Administration)
- SB 185**, establishing a commission on housing policy and regulation. (Executive Departments and Administration)
- SB 187**, posthumously emancipating enslaved Africans in New Hampshire. (Judiciary)
- SB 188-FN**, relative to municipally-owned utilities. (Public Works and Highways)

**SB 189-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board. (Executive Departments and Administration/Ways and Means)

**SB 192-FN-L**, establishing a committee to study the establishment of a state infrastructure bank. (Public Works and Highways/Finance)

**SB 194-FN**, requiring the department of health and human services to implement the Medicaid family planning expansion. (Health, Human Services and Elderly Affairs/Finance)

## RECESS

**(Rep. Sanborn in the Chair)**

## RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 31, 38, 41, 80, 87, 95, 100, 111, 114, 116, 126, 135, 137, 138, 140, 155, 160, 170, 172, 173, 179, 190 and 197 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.  
Adopted.

## INTRODUCTION OF SENATE BILLS

### First, second reading and referral

**SB 31**, relative to a ban on the incidental combustion of untreated wood at municipal transfer stations. (Science, Technology and Energy)

**SB 38**, relative to pharmacy rights during an audit. (Commerce and Consumer Affairs)

**SB 41**, revising the New Hampshire business corporations act, RSA 293-A. (Commerce and Consumer Affairs)

**SB 80**, relative to expanding the community revitalization tax relief program to provide incentives for rehabilitating historic structures. (Municipal and County Government)

**SB 87**, relative to the patients' bill of rights. (Health, Human Services and Elderly Affairs)

**SB 95**, relative to choice of pharmacy under workers' compensation. (Labor, Industrial and Rehabilitative Services)

**SB 100**, authorizing electronic payment of payroll. (Labor, Industrial and Rehabilitative Services)

**SB 111**, permitting municipalities to establish a capital reserve plan for expenditure of capital reserve funds and relative to electronic billing by municipal utilities. (Municipal and County Government)

**SB 114**, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas. (Commerce and Consumer Affairs)

**SB 116-FN**, relative to the licensure of liquefied propane installation and service technicians. (Executive Departments and Administration/Ways and Means)

**SB 126-FN**, relative to business practices between motor vehicle manufacturers, distributors, and dealers. (Commerce and Consumer Affairs)

**SB 135-FN**, relative to the regulation of the practice of genetic counseling. (Executive Departments and Administration)

**SB 137-FN**, relative to sibling visitation rights. (Judiciary)

**SB 138-FN**, relative to support for certain residents of nursing and assisted living facilities. (Health, Human Services and Elderly Affairs)

**SB 140-FN**, requiring a pharmacy to substitute generically equivalent drugs for any prescription paid for by state funds. (Commerce and Consumer Affairs)

**SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags. (Executive Departments and Administration/Ways and Means)

**SB 160-FN-A**, relative to turnpikes and electronic toll collection. (Public Works and Highways)

**SB 170**, relative to advance directives pertaining to life-sustaining treatment. (Health, Human Services and Elderly Affairs)

**SB 172-FN-L**, relative to public funds. (Municipal and County Government/Finance)

**SB 173**, relative to criminal background checks for individuals volunteering or applying for employment at licensed child care facilities. (Children and Family Law/Criminal Justice and Public Safety)

**SB 179**, clarifying the definition of "renewable generation facility" for purposes of payments in lieu of property tax payments. (Science, Technology and Energy)

**SB 190-FN**, relative to admission fees for certain persons at state parks and historical sites. (Resources, Recreation and Development/Ways and Means)

**SB 197**, relative to the inclusion of a default budget in separate warrant articles submitted by sewer commissions. (Municipal and County Government)

### SENATE MESSAGES

#### CONCURRENCE

**HB 126-L**, relative to use of revolving funds by towns for maintaining recycling programs.

**HB 194**, relative to collection of permit fees paid with insufficient fund checks.

**HB 208**, relative to annual reports of county officers.

**HB 236**, relative to membership of the council on autism spectrum disorders.

**HB 309**, relative to filing for office.

**HB 543**, relative to ascertaining damages to abutting landowners.

#### NONCONCURRENCE

**HB 198**, relative to town boundary perambulation.

**HB 251**, relative to the legislative members of the home education advisory council.

**HB 347**, authorizing cottage housing development as an innovative land use control.

**HB 444**, establishing a committee to study the use of autonomous vehicles in New Hampshire.

#### RECESS

**(Speaker Norelli in the Chair)**

Rep. Kaen moved that the House adjourn.

Adopted.

## HOUSE JOURNAL No. 14

Wednesday, April 3, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Reverend Canon Charles LaFond, Canon for Congregational Life of the Episcopal Diocese of New Hampshire.

God of life and love, be present to justice and mercy in this Chamber as waters which cool the desert. Be present to unkindness and cruelty in this Chamber as fire which burns and cleanses. Be present to compassion and our desire to improve the lives of the financially poor and the working poor as oil which anoints and blesses. Be present to hard work and respectful conversation as love which softens hard hearts and gladdens gentle ones. And all for Your mercy's sake. Amen.

Representative Cynthia Chase, Lieutenant, US Navy and member from Keene, Representative Linda Lauer, Lieutenant, US Navy and member from Bath, Representative Karen Umberger, Colonel, US Air Force and member from Kearsarge and Representative Regina Birdsell, Yeoman 1<sup>st</sup> Class, US Coast Guard and member from Hampstead, led the Pledge of Allegiance.

Representative Gladys Johnsen, member from Keene, led the singing of the National Anthem.

### LEAVES OF ABSENCE

Reps. Heffron, Sanborn, Spainhower and Thompson, the day, illness.

Reps. Booras, Cali-Pitts, Richard Eaton, Ferrante, Thomas Katsiantonis, Menear, Palangas, Rokas, Marjorie Smith, Tamburello and Tremblay, the day, important business.

Reps. John Kelley and Tucker, the day, illness in the family.

### INTRODUCTION OF GUESTS

Skyler Jones, daughter of Rep. Jones. Suzanne Egan, guest of Rep. Timothy Smith. Sue Cote, sister of Rep. Beaulieu. Fourth graders from Maple Wood School, guests of the Somersworth Delegation.

### COMMUNICATION

March 28, 2013

Dear Madame Speaker,

It is with deep regret that I offer my resignation from the New Hampshire House of Representatives, as I will soon be moving out of my current district. I would like to thank the voters of Manchester Ward 7 for the opportunity to serve as their representative for the last eight and half years, and I thank the members of this House for working with me over that time. Best of luck as you continue to address the issues important to the state of New Hampshire.

Sincerely,  
Representative Patrick Garrity

### MOTION TO VACATE

Rep. Weber moved that the House vacate the reference of the following bills:

**SB 14**, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development.

**SB 24**, relative to Medicaid rates.

**SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation.

**SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags, and

**SB 185**, establishing a commission on housing policy and regulation.  
to the Committee on Executive Departments and Administration.

Adopted.



The Speaker referred **SB 14** to the Committee on Resources, Recreation and Development, **SB 24** to the Committee on Health, Human Services and Elderly Affairs, **SB 119-FN-A** and **SB 155-FN-A** to the Committee on Legislative Administration, and **SB 185** to the Committee on Municipal and County Government.

### MOTION TO VACATE

Rep. Gary Richardson moved that the House vacate the reference of the following bills: **SB 136**, relative to the rights of the immediate family of crime victims, and **SB 137-FN**, relative to sibling visitation rights. to the Committee on Judiciary.  
Adopted.

The Speaker referred **SB 136** to the Committee on Criminal Justice and Public Safety, and **SB 137-FN** to the Committee on Children and Family Law.

### MOTION TO SUSPEND HOUSE RULES

Reps. Shurtleff and Chandler moved that House Rules be so far suspended as to allow consideration at the present time, without the required printing of a Committee Report in the House Calendar and, if passed, go to immediate 3<sup>rd</sup> reading, of **SB 74**, relative to an exemption for entities that furnish hot water through a district energy system.

Rep. Shurtleff spoke in favor.

Adopted by the necessary two-thirds vote.

### CLERK'S NOTE

Although not in the House Calendar, the following statement was available to House members on this bill, **SB 74**, relative to an exemption for entities that furnish hot water through a district energy system.

### CONSIDERATION OF SB 74

**SB 74**, relative to an exemption for entities that furnish hot water through a district energy system. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Beatriz Pastor for Science, Technology and Energy: This bill amends RSA 362 and updates current statute by clarifying the definition of hot water companies. The committee agrees that hot water district heating can help liberate towns and cities from dependency on petroleum heating products, fostering the use of local and renewable energy sources. Hot water district energy systems can draw on a variety of energy sources, including biomass and geothermal. They can also capture waste heat from industry and surplus heat from incineration, industrial processes and sewage. Hot water district energy systems are an excellent option for providing relief to oil-dependent communities, increasing efficiency and reducing emissions. By clarifying the current definitions in RSA 362, SB 74 opens the door to new, cheaper and/or less volatile local energy sources, leveling the playing field for the development of hot water district energy systems in our state, and keeping energy dollars in New Hampshire. Vote 14-0.

### Amendment (1155h)

Amend the bill by replacing section 1 with the following:

1 New Section; Hot Water Companies; When Public Utilities. Amend RSA 362 by inserting after section 4-c the following new section:

362:4-d Hot Water Companies; When Public Utilities. The term "public utility" shall not include any corporation, company, association, joint stock association, partnership, or person, their lessee, trustee, or receiver appointed by any court, or assignee, by virtue of its being engaged in the manufacture, furnishing, or sale of hot water through a district energy system. In this section, "hot water" means water that has a temperature of no more than 200 degrees Fahrenheit that circulates in a district heating system under pressure of no more than 232 pounds per square inch.

### AMENDED ANALYSIS

This bill exempts any entity that manufactures, furnishes, or sells hot water through a district energy system from being a public utility.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Pastor spoke in favor.  
Adopted.

### RESOLUTION

Rep. Shurtleff moved that **SB 74**, relative to an exemption for entities that furnish hot water through a district energy system, be read a third time and passed.  
Adopted.

### Third reading and final passage

**SB 74**, relative to an exemption for entities that furnish hot water through a district energy system.

### REGULAR CALENDAR

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Mary Jane Wallner for the Majority of Finance: The proposed budget for 2014/2015 represents a process of re-building from the 2012/2013 budget, in which a number of the state's most important programs and services experienced significant reductions. In the health and human services area, appropriations did not meet projected need, and a waitlist for individuals with developmental disabilities began again after having been eliminated in the prior budget. Inadequate services continued in mental health services, leading to a system in chaos, with dozens of people experiencing psychiatric crisis waiting in emergency rooms across the state for a bed to open at New Hampshire Hospital. The state is facing federal litigation over its ability to provide mental health services to citizens in the community. The near-elimination of the Children in Need of Services program (CHINS) has shifted costs for at-risk minors to local budgets and left children with serious behavioral problems untreated. Funding for higher education was slashed, with appropriations to the university system decreased by half and by a third to the community colleges. Tuitions jumped, and the community colleges have seen enrollment stagnate. Building a budget for fiscal years 2014 and 2015 has not been easy. We started from a point of previous budget reductions, made more difficult by tax cuts layered upon an economy still in recovery from the worst economic recession in memory. This is a careful budget, too, increasing general funds 3% over the biennium. Our priorities include rebuilding New Hampshire's essential human services, safety net, and education infrastructure. Our budget restores full funding to eliminate the Developmental Disabilities waitlist for the more than 650 individuals currently waiting and those who will turn 21 and become eligible in the next two years. We have made major investments in the state's 10 year mental health plan, significantly improving treatment resources for our residents who suffer from serious mental illness. The CHINS program will be restored, serving hundreds of at-risk children before they wind up in the criminal justice system. New Hampshire Legal Assistance receives additional funding, to help restore the appropriation cut in the last biennium, and funding for legal representation for indigent parents in cases of abuse and neglect is restored. We have begun to restore funding to our larger hospitals to help make up for the uncompensated care they provide. This budget also adopts the expansion of Medicaid to thousands of New Hampshire residents who are newly eligible under the Affordable Care Act at a net general fund cost for the biennium of \$1.3 million. Full funding is restored to the community colleges, a top source of enrollment and thus revenue for the university system. The university system will receive an investment of more than \$150 million. This budget also repeals the education tax credit program, which will divert public resources to private and religious schools. \$25 million is appropriated to assist local and county taxpayers: \$5 million extra Meals and Rooms tax revenue to cities and towns, \$15 million to counties for long term care, and \$5 million to 60 cities and towns for drinking water, waste water, and landfill grants. We invest \$5 million in LCHIP to save important New Hampshire resources. The proposed budget for 2014/2015 makes significant investments to fund the essential services citizens expect of government. These investments will help New Hampshire continue to be the best state in which to live, work, and raise a family. Vote 14-8. Rep. Neal M. Kurk for the Minority of Finance: This budget is balanced on paper, but in ways that create more problems than they solve. This budget relies on rather rosy revenue estimates - some \$31 million higher than prudent estimates by those with an exceptional track record for accuracy. The same "rosy revenue estimates" approach was taken to balance the 2009/10 budget, and it required

a special session of the legislature to resolve. This budget relies on \$17 million of one-time tobacco settlement money to pay for on-going appropriations. As a result, the next budget will start off \$17 million in deficit. This budget relies on \$60 million in additional revenue from a 30c tobacco tax increase - 10c more than the House position - and on \$14 million by suspending business tax reductions scheduled to take effect this July. The result: small and large businesses hurt, fewer jobs created and a slower economy - not good public policy when 40,000 Granite Staters are looking for work. A 12c increase in the gas tax only makes matters worse. This budget intentionally underfunds at least two important state functions - a likely \$4 million shortfall in the overtime line at the state prison for men and a likely \$1.2 million shortfall in indigent parent defense funds - and authorizes the Fiscal Committee to cover the shortfalls by tapping into any surplus or increasing any deficit. This is not truth in budgeting. This budget also diverts about \$27 million more from the highway fund to the general fund than current statute authorizes. This money pays for traffic-related expenses in the Department of Safety. Were the current statute followed, the highway fund would receive an additional \$27 million, cutting over 3c per gallon off any proposed gas tax increase. This budget substantially expands the size of state government. In total funds, it's 10.2% larger than the current budget, growing state government at more than 5% per year at a time when the state's economy is growing around 2%. Part of that growth is expanded Medicaid under the Affordable Care Act ("Obamacare"). The cost: \$1.3 million in this budget, with likely tens of millions more in future years. Yet, despite all of its additional revenue, this budget fails to provide the \$7.2 million building aid for new school projects contemplated in the recent changes to the school building aid program. Indeed, for all its appropriations for health and human services, this budget does little to encourage economic growth and, in fact, sends the message to our business community that we plan to take millions more from them to grow state spending. This will hurt our state's employers' ability to invest, expand and create jobs. This is the wrong message to send.

#### **Majority Amendment (1166h)**

This amendment was printed in its entirety in House Record No. 28A, March 29, 2013 and is made part of this Journal by reference.

Rep. Baldasaro spoke against.

Rep. Rosenwald spoke in favor.

Majority committee amendment adopted.

#### **MOTION TO LAY ON THE TABLE**

Rep. Vaillancourt moved that **HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015, be laid on the table.

Rep. Shurtleff requested a roll call; sufficiently seconded.

#### **YEAS 132 NAYS 225**

##### **YEAS 132**

##### **BELKNAP**

Comtois, Guy  
Luther, Robert  
Worsman, Colette

Cormier, Jane  
Sylvia, Michael

Fink, Charles  
Tilton, Franklin

Greemore, Robert Jr  
Vadney, Herbert

##### **CARROLL**

Chandler, Gene  
Umberger, Karen

McConkey, Mark  
Wright, Donald

Nelson, Bill

Schmidt, Stephen

##### **CHESHIRE**

Emerson, Susan

Johnson, Jane

Parkhurst, Henry

##### **COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

##### **GRAFTON**

Doolan, Ralph Jr

Ladd, Rick Jr

Reilly, Harold Sr

Shackett, Jeffrey

**HILLSBOROUGH**

Boehm, Ralph	Burt, John	Byron, Frank	Coffey, James
Culbert, Patrick	Daniels, Gary	Flanagan, Jack	Gagne, Larry
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Hinch, Richard	Lambert, George	LeBrun, Donald	LeVasseur, Richard
Marston, Dick	Martel, Andre	McCarthy, Michael	Meaney, Richard
Murotake, David	Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Parison, James	Pellegrino, Tony	Peterson, Lenette	Pratt, Calvin
Renzullo, Andrew	Sandblade, Emily	Shaw, Barbara	Souza, Kathleen
Straight, Philip	Stroud, Kathleen	Sweeney, Shawn	Takesian, Charlene
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark
Willette, Robert			

**MERRIMACK**

Hoell, J.R.	Kidder, David	Kotowski, Frank	Lockwood, Priscilla
McGuire, Carol	McGuire, Dan	Smith, Todd	

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Belanger, Ronald
Birdsell, Regina	Bishop, Franklin	Charron, Gene	Chirichiello, Brian
Comerford, Timothy	Copeland, Timothy	Danais, Romeo	DeSimone, Debra
Duarte, Joe	Dumaine, Dudley	Elliott, Robert	Emerick, J. Tracy
Fesh, Robert	Friel, William	Garcia, Bianca	Garcia, Marilinda
Gordon, Richard	Grace, Curtis	Hagan, Joseph	Harris, Jeffrey
Hayes, Jack	Hodgdon, Bruce	Itse, Daniel	Kolodziej, Walter
Lundgren, David	Milz, David	Nigrello, Robert	O'Connor, John
Oigny, Jeffrey	Peckham, Michele	Perkins, Amy	Perkins, Lawrence
Rice, Frederick	Sanders, Elisabeth	Sapareto, Frank	Schroadter, Adam
Sedensky, John	St.James, Kevin	Tasker, Kyle	Waterhouse, Kevin
Webb, James Sr	Weyler, Kenneth		

**STRAFFORD**

Beaudoin, Steven	Gray, James	Groen, Warren	Jones, Laura
Mullen, John Jr	Parsons, Robbie	Spang, Judith	

**SULLIVAN**

Rollins, Skip	Smith, Steven
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**NAYS 225****BELKNAP**

Arsenault, Beth	Burchell, Richard	DiMartino, Lisa	Fields, Dennis
Flanders, Donald	Gulick, Ruth	Holmes, Stephen	Huot, David

**CARROLL**

Ahlgren, Christopher	Buco, Thomas	Cordelli, Glenn	Crawford, Karel
Lavender, Tom	Merrow, Harry	Ticehurst, Susan	White, Syndi

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Lerandeau, Alfred
Ley, Douglas	Mann, John	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles	Young, Harry		

**COOS**

Enman, Larry	Hammon, Marcia	Moynihan, Wayne	Thomas, Yvonne
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**GRAFTON**

Aguiar, James  
 Bradley, Lester  
 Gionet, Edmond  
 Lovett, Sid  
 Pastor, Beatriz  
 Townsend, Charles

Almy, Susan  
 Brown, Rebecca  
 Harding, Laurie  
 Massimilla, Linda  
 Piper, Wendy  
 White, Andrew

Bailey, Brad  
 Cooney, Mary  
 Higgins, Patricia  
 Mulholland, Catherine  
 Smith, Suzanne

Benn, Bernard  
 Ford, Susan  
 Lauer, Linda  
 Nordgren, Sharon  
 Sykes, George

**HILLSBOROUGH**

Backus, Robert  
 Brown, Pamela  
 Chandley, Shannon  
 Danielson, David  
 Gale, Sylvia  
 Goley, Jeffrey  
 Hammond, Jill  
 Hopper, Gary  
 Knowles, Mary Ann  
 Levesque, Melanie  
 McNamara, Richard  
 Rhodes, Brian  
 Shattuck, Gilman  
 Sullivan, Daniel  
 Williams, Carol

Barry, Richard  
 Campbell, David  
 Christiansen, Lars  
 DiSilvestro, Linda  
 Garcia, Michael  
 Gorman, Mary  
 Hansberry, Daniel  
 Jack, Martin  
 Kopka, Angeline  
 MacKay, Mariellen  
 Nelson, Mary  
 Rosenwald, Cindy  
 Smith, Timothy  
 Sullivan, Peter  
 Williams, Kermit

Beaulieu, Jane  
 Carroll, Douglas  
 Connor, Evelyn  
 Dobson, Jeremy  
 Gargas, Carolyn  
 Grady, Brenda  
 Harriott-Gathright, Linda  
 Jasper, Shawn  
 Kurk, Neal  
 Manley, Jonathan Sr  
 O'Brien, Michael Sr  
 Rowe, Robert  
 Soucy, Timothy  
 Vail, Suzanne  
 Winters, Joel

Boisvert, Ronald  
 Cebrowski, John  
 Cote, David  
 Gage, Ruth  
 Gidge, Kenneth  
 Hackel, Paul  
 Heden, Ruth  
 Jeudy, Jean  
 Leishman, Peter  
 McCloskey, David  
 Porter, Marjorie  
 Schmidt, Janice  
 Spratt, Stephen  
 Walsh, Robert Jr  
 Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
 Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Hunt, Jane  
 Moffett, Howard  
 Reed, Dennis  
 Schamberg, Thomas  
 Turcotte, Alan  
 Watrous, Rick

Andrews, Christopher  
 Carey, Lorrie  
 Frambach, Mary  
 Henle, Paul  
 Karrick, David Jr  
 Myler, Mel  
 Rice, Chip  
 Schuett, Dianne  
 Wallner, Mary Jane  
 Webb, Leigh

Bartlett, Christy  
 Carson, Clyde  
 Frazer, June  
 Hess, David  
 Kelly, Sally  
 Patten, Dick  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walsh, Thomas IV

Bouchard, Candace  
 Davis, Frank  
 French, Barbara  
 Hirsch, Geoffrey  
 MacKay, James  
 Ratzki, Mario  
 Rogers, Katherine  
 Tilton, Joy  
 Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
 Cahill, Michael  
 Griffin, Mary  
 Khan, Aboul  
 McKinney, Betsy  
 Packard, Sherman  
 Schlachman, Donna  
 Till, Mary

Bick, Patrick  
 Cushing, Robert Jr  
 Helmstetter, Barbara  
 Lovejoy, Patricia  
 McMahon, Charles  
 Pantelakos, Laura  
 Sherman, Thomas  
 Ward, Gerald

Borden, David  
 Emerson-Brown, Rebecca  
 Introne, Robert  
 Major, Norman  
 Moody, Marcia  
 Priestley, Anne  
 Sweeney, Joe  
 Wazlaw, Brian

Briden, Steven  
 Flockhart, Eileen  
 Kappler, Lawrence  
 Mann, Maureen  
 Muns, Chris  
 Scarlotto, Joe  
 Sytek, John  
 Whittemore, Lisa

**STRAFFORD**

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Kaen, Naida  
 Perry, Robert  
 Schmidt, Peter  
 Ward, Kenneth

Berube, Roger  
 Gardner, Janice  
 Hooper, Dorothea  
 Malloy, Dennis  
 Pitre, Joseph  
 Stevens, Audrey

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Miller, David  
 Rogers, Rose Marie  
 Verschueren, James

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Pelletier, Marsha  
 Rollo, Deanna  
 Wall, Janet

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Lefebvre, Benjamin	O'Hearne, Andrew	Schmidt, Andrew
Sweeney, Cynthia	Tanner, Linda		

and the motion failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
 Reps. Vaillancourt and William O'Brien spoke against.  
 Rep. Rosenwald spoke in favor.  
 Rep. Huot yielded to questions.  
 Rep. Renzullo requested a roll call; sufficiently seconded.

**YEAS 194 NAYS 172****YEAS 194  
BELKNAP**

Arsenault, Beth	DiMartino, Lisa	Gulick, Ruth	Huot, David
Raymond, Ian			

**CARROLL**

Buco, Thomas	Butler, Edward	Lavender, Tom	Ticehurst, Susan
White, Syndi			

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Lerandeau, Alfred
Ley, Douglas	Mann, John	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles	Young, Harry		

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Moynihan, Wayne
Theberge, Robert	Thomas, Yvonne		

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Harding, Laurie
Higgins, Patricia	Lauer, Linda	Lovett, Sid	Massimilla, Linda
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Boisvert, Ronald	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Dobson, Jeremy	Gage, Ruth
Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin	Judy, Jean
Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter	Levesque, Melanie
Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr	McCloskey, David
McNamara, Richard	Nelson, Mary	O'Brien, Michael Sr	Porter, Marjorie
Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Smith, Timothy	Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel
Sullivan, Peter	Vail, Suzanne	Walsh, Robert Jr	Williams, Carol
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank

Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walz, Mary Beth

Frambach, Mary  
 Henle, Paul  
 Kelly, Sally  
 Patten, Dick  
 Rogers, Katherine  
 Tilton, Joy  
 Watrous, Rick

Frazer, June  
 Hirsch, Geoffrey  
 MacKay, James  
 Ratzki, Mario  
 Schamberg, Thomas  
 Turcotte, Alan  
 Webb, Leigh

French, Barbara  
 Hunt, Jane  
 Moffett, Howard  
 Rice, Chip  
 Schuett, Dianne  
 Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
 Cushing, Robert Jr  
 Lovejoy, Patricia  
 Pantelakos, Laura  
 Till, Mary

Borden, David  
 Emerson-Brown, Rebecca  
 Mann, Maureen  
 Scarlotto, Joe  
 Ward, Gerald

Briden, Steven  
 Flockhart, Eileen  
 Moody, Marcia  
 Schlachman, Donna  
 Wazlaw, Brian

Cahill, Michael  
 Helmstetter, Barbara  
 Muns, Chris  
 Sherman, Thomas  
 Whittemore, Lisa

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Kaen, Naida  
 Pelletier, Marsha  
 Schmidt, Peter  
 Wall, Janet

Berube, Roger  
 Gardner, Janice  
 Hooper, Dorothea  
 Ketel, Stephen  
 Perry, Robert  
 Spang, Judith  
 Ward, Kenneth

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Stevens, Audrey

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Miller, David  
 Rollo, Deanna  
 Verschueren, James

### SULLIVAN

Cloutier, John  
 Lefebvre, Benjamin  
 Tanner, Linda

Gagnon, Raymond  
 O'Hearne, Andrew

Gottling, Suzanne  
 Schmidt, Andrew

Irwin, Virginia  
 Sweeney, Cynthia

### NAYS 172

### BELKNAP

Burchell, Richard  
 Fink, Charles  
 Luther, Robert  
 Worsman, Colette

Comtois, Guy  
 Flanders, Donald  
 Sylvia, Michael

Cormier, Jane  
 Greemore, Robert Jr  
 Tilton, Franklin

Fields, Dennis  
 Holmes, Stephen  
 Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
 McConkey, Mark  
 Umberger, Karen

Chandler, Gene  
 Merrow, Harry  
 Wright, Donald

Cordelli, Glenn  
 Nelson, Bill

Crawford, Karel  
 Schmidt, Stephen

### CHESHIRE

Emerson, Susan

Johnson, Jane

Parkhurst, Henry

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
 Ladd, Rick Jr

Bradley, Lester  
 Reilly, Harold Sr

Doolan, Ralph Jr  
 Shackett, Jeffrey

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
 Byron, Frank  
 Culbert, Patrick  
 Gagne, Larry  
 Haefner, Robert  
 Hopper, Gary

Belanger, James  
 Cebrowski, John  
 Daniels, Gary  
 Garcia, Michael  
 Hansen, Peter  
 Infantine, William

Boehm, Ralph  
 Christiansen, Lars  
 Danielson, David  
 Gargas, Carolyn  
 Hikel, John  
 Jasper, Shawn

Burt, John  
 Coffey, James  
 Flanagan, Jack  
 Graham, John  
 Hinch, Richard  
 Kurk, Neal

Lambert, George  
Marston, Dick  
Murotake, David  
O'Brien, William  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Ulery, Jordan  
Willette, Robert

LeBrun, Donald  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Vaillancourt, Steve  
Winters, Joel

Levasseur, Nickolas  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Pratt, Calvin  
Shaw, Barbara  
Sweeney, Shawn  
Villeneuve, Moe

LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Renzullo, Andrew  
Souza, Kathleen  
Takesian, Charlene  
Warden, Mark

### MERRIMACK

Hess, David  
Lockwood, Priscilla  
Smith, Todd

Hoell, J.R.  
McGuire, Carol  
Walsh, Thomas IV

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Reed, Dennis

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oigny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Webb, James Sr

Allen, Mary  
Birdsell, Regina  
Copeland, Timothy  
Dumaine, Dudley  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroedter, Adam  
Sytek, John  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Danaïs, Romeo  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Tasker, Kyle

Belanger, Ronald  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

### SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.

### COMMUNICATION

April 3, 2013

Ms. Karen Wadsworth  
Clerk of the House of Representatives  
State House  
Concord, NH 03301

Dear Karen:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Hillsborough District No. 9 (Manchester Ward-2)

William J. O'Neil, d, Manchester (309 Ash St.) 03104

Sincerely,  
William M. Gardner, Secretary of State

### REGULAR CALENDAR (CONT'D)

**HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**



Rep. Mary Jane Wallner for the Majority of Finance: This bill, referred to as the trailer bill, enables House Bill 1. The Finance Committee accepted the Ways and Means Committee's revenue estimates. In addition, we agreed to the Governor's request to restore the 10 cents cut from the tobacco tax in the previous budget and raise it by an additional 20 cents. We accepted the Governor's recommendation to suspend or delay new business tax credits. The passage of these initiatives by the prior legislature was irresponsible in that concurrent program cuts were never identified. House Bill 2 creates a new Office of Innovation and Efficiency to help ensure that state government functions are streamlined. We have fully funded the delayed drinking water, waste water and landfill projects in FY '15 so as to benefit 60 communities. There is a new provision that if transfers of real estate deeds occur, extra revenue goes to the Land and Community Heritage Investment Program (LCHIP). HB 2 returns the Liquor Commission to a single commissioner, appointed by the Governor and approved by the Executive Council. The bill includes a new scholarship for members of the National Guard. Because we have been unable to start funding new programs, HB 2 does not contain funding for additional school building aid, except in certain cases where safety is an issue, nor from additional charter schools. It also repeals the education tax credit program created in the previous budget that will otherwise divert millions of dollars in public resources to private and religious schools. HB 2 includes language to expand the Medicaid program to low income residents who are not otherwise eligible, along with a provision that the state may opt out of expansion at any time. A recent study suggests Medicaid expansion will contribute to \$2.5 billion in federal funds flowing into New Hampshire during this decade, creating more than 5,000 jobs, and leading to economic expansion. The Insurance Commissioner has stated that Medicaid expansion is expected to have a beneficial effect on the commercial insurance market. Uncompensated care will begin to decline; mitigating the cost shifting that is so harmful to businesses. The bill also contains a new distribution formula for uncompensated care. In addition, the bill establishes a commission to seek out a long term solution for this revenue stream. The bill lowers the cap on costs counties pay for long term care. It extends the nursing home bed moratorium and makes changes to the Certificate of Need process, eliminating conflict of interest on the board and repealing the sunset. HB 2 includes the increase in the gas tax (road toll) passed by the House. Finally, it includes a so-called "waterfall" provision to include specific appropriations if there is a surplus in this fiscal year and FY 2014. Vote 14-8.

Rep. Neal M. Kurk for the Minority of Finance: Too many of the statutory changes in this bill are not in the best interests of New Hampshire. Section 9 increases the so-called "cap" on the amount of money counties must pay for their residents' nursing home and other long-term care services. The higher the cap, the more it costs county property taxpayers, and the less is paid by the state's general fund. The result of the cap increase is a true downshift of at least \$7 million to county property taxpayers. Section 60 authorizes expanded Medicaid at a significant, yet-to-be-determined cost to the state budget that could be as high as \$85 million over the next six years. Section 88 limits the amount of money available to fund existing charter schools, and section 152 imposes a moratorium on new charter schools. This is not in the best interests of the state's school children. Section 91 repeals the education tax credits that fund the "opportunity scholarship" program enacted last session, potentially denying 2,500 low- and middle-income students the chance to join their wealthier peers and attend a school of their choice. Section 130 transfers to the governor part of the legislature's budgetary prerogative, allowing her unlimited authority to "raid" any amount from any and all dedicated funds to deal with the current budget deficit. The majority's surplus/deficit statement indicates the amount needed to be \$22.6 million. Despite a requirement that such transfers from dedicated funds to the general fund be approved by the Fiscal Committee, all dedicated funds, including LCHIP, Fish and Game and renewable energy funds, are at risk.

### **Majority Amendment (1169h)**

This amendment was printed in its entirety in House Record No. 28, March 29, 2013 and is made part of this Journal by reference.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Kurk offered floor amendment (1193h).

### **Floor Amendment (1193h)**

Amend the bill by replacing section 9 with the following:

9 Department of Health and Human Services; Bureau of Adult and Elderly Services; County Payment of Funds for Persons Eligible to Receive Nursing Home Services; Limitation on County Payments; Credit. RSA 167:18-a, II-III is repealed and reenacted to read as follows:

II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years 2014-2015:

(1) State fiscal year 2014, \$109,000,000.

(2) State fiscal year 2015, \$109,000,000.

(b) The caps on total billings for fiscal years after fiscal year 2015 shall be established by the legislature at least on a biennial basis.

III.(a) The counties shall have an aggregate credit of \$5,000,000 against amounts due under this section for each fiscal year beginning July 1, 2008. The credit shall be allocated as follows:

(1) For fiscal year 2009, \$4,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$1,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.

(2) For fiscal year 2010, \$2,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$3,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.

(3) For fiscal year 2011 and for each fiscal year thereafter, \$5,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.

(b) The credit shall be made available as soon as possible after the start of the fiscal year. The department shall adopt county credit criteria in consultation with the county-state finance commission and in accordance with the provisions of RSA 541-A. The total aggregate obligation of the counties shall be reduced by the amount of the credit in each fiscal year.

(c) For the biennium ending June 30, 2015, the counties shall have an additional credit against the amounts due for long term care expenditures under RSA 167:18-a. The credit in the amount of \$2,500,000 for the fiscal year ending June 30, 2014 and \$2,500,000 for the fiscal year ending June 30, 2015 shall be in addition to the \$5,000,000 annual credit set forth in subparagraph (a). The percentage of the credit that each county receives shall be the same as its percentage of the total Medicaid bed days in county nursing homes in the preceding year, and shall be made available to the county as soon as possible after the start of the fiscal year. The total aggregate obligation of the counties shall be reduced by the amount of the credit in each fiscal year.

Amend section 8 of the bill by inserting after paragraph III the following new paragraph:

IV. In addition to any other sums appropriated to the department of health and human services for the biennium ending June 30, 2015, the following appropriations and charges are hereby authorized for the department of health and human services. Said appropriations shall be a charge against the funds as specified in the individual appropriation:

<u>Accounting Unit</u>	<u>Class</u>	<u>Dept/Agency</u>	<u>Fund Source</u>	<u>FY 2014</u>	<u>FY 2015</u>
05-95-48		HHS: Elderly and Adult Services			
		Nursing Services- County			
05-95-48-4815-5942		Participation			
		Nursing Services- County	Private Local		
05-95-48-4815-5942	005	Participation	Funds(Counties)	(\$900,000)	(\$6,050,000)
		Nursing Services- County			
05-95-48-4815-5942		Participation	General Funds	\$900,000	\$6,050,000

Amend the bill by inserting the following new section:

170 Uncompensated Care Fund; Transfer to General Fund. The sums of \$900,000 for the fiscal year ending June 30, 2014 and \$6,050,000 for the fiscal year ending June 30, 2015 are hereby transferred from the uncompensated care fund to the general fund as unrestricted revenue. These amounts shall be in addition to amounts listed as unrestricted revenue from the Medicaid enhancement tax in the operating budget.

#### AMENDED ANALYSIS

110. Makes transfers from the uncompensated care fund to the general fund.

Rep. Kurk spoke in favor.

Rep. Spratt spoke against and yielded to questions.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

## YEAS 171 NAYS 195

### YEAS 171

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Emerson, Susan

Johnson, Jane

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Vaillancourt, Steve  
Winters, Joel

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Shaw, Barbara  
Sweeney, Shawn  
Villeneuve, Moe

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Takesian, Charlene  
Warden, Mark

Burt, John  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Ulery, Jordan  
Willette, Robert

### MERRIMACK

Hess, David  
Lockwood, Priscilla  
Smith, Todd

Hoell, J.R.  
McGuire, Carol  
Walsh, Thomas IV

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Reed, Dennis

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Grace, Curtis

Baldasaro, Alfred  
Bishop, Franklin  
Copeland, Timothy  
Dumaine, Dudley  
Friel, William  
Griffin, Mary

Belanger, Ronald  
Charron, Gene  
Danais, Romeo  
Elliott, Robert  
Garcia, Marilinda  
Hagan, Joseph

Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oligny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
St.James, Kevin  
Waterhouse, Kevin

Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Scarlottio, Joe  
Sweeney, Joe  
Webb, James Sr

Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Schroadter, Adam  
Sytek, John  
Weyler, Kenneth

Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
Sedensky, John  
Tasker, Kyle

## STRAFFORD

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

## SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

## NAYS 195

## BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

## CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

## CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

## COOS

Coulombe, Gary  
Theberge, Robert

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Moynihan, Wayne

## GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

## HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jeudy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rosenwald, Cindy  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Boisvert, Ronald  
Chandley, Shannon  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Carol

Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Rhodes, Brian  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	Mackay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuetz, Dianne
Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Cahill, Michael
Cushing, Robert Jr	Flockhart, Eileen	Helmstetter, Barbara	Lovejoy, Patricia
Mann, Maureen	Moody, Marcia	Muns, Chris	Pantelakos, Laura
Schlachman, Donna	Sherman, Thomas	Till, Mary	Ward, Gerald
Wazlaw, Brian	Whittemore, Lisa		

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela
Kaen, Naida	Ketel, Stephen	Malloy, Dennis	Miller, David
Pelletier, Marsha	Perry, Robert	Rogers, Rose Marie	Rollo, Deanna
Schmidt, Peter	Spang, Judith	Stevens, Audrey	Verschueren, James
Wall, Janet	Ward, Kenneth		

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Lefebvre, Benjamin	O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia
Tanner, Linda			

and floor amendment (1193h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Lynne Ober offered floor amendment (1196h).

**Floor Amendment (1196h)**

Amend the bill by replacing section 3 with the following:

3 School Building Aid; Alternative School Building Aid.

I. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through RSA 198:15-w, the commissioner of the department of education shall issue no school building aid or alternative school building aid for any project approved on or after July 1, 2013 through June 30, 2014.

II.(a) The commissioner of the department of education, upon recommendation of the state fire marshal, may grant a waiver to the suspension of school building aid under paragraph I if the state fire marshal or designee determines, based on reasonable information and belief, that:

(1) The condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons, and requires remediation prior to July 1, 2015; or

(2) A structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more than a technical violation of the fire code, and requires remediation prior to July 1, 2015.

(b) Any school building aid provided under a waiver granted pursuant to this paragraph shall be limited to the costs associated with the remediation of the conditions or structural deficiencies set forth in this paragraph.

Amend the bill by replacing paragraph III of section 160 with the following:

III.(a) Any surplus determined under paragraphs I and II shall be used to fund the programs listed in the following order of priority:

	<u>FY 2014</u>	<u>FY 2015</u>
(1) Uncompensated Care	\$6,400,000	\$26,500,000
(2) University System of New Hampshire	\$6,000,000	\$6,000,000
(3) Chartered Public Schools	\$1,012,550	\$1,446,500

(b) The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

(c) Funding authorized for chartered public schools in subparagraph III(a)(3) shall be in addition to any other funding authorized and in excess of any limitations on funding established for the biennium in this act. If surplus general funds determined in paragraphs I and II are sufficient to fund chartered public schools in subparagraph III(a)(3), the provisions of section 152 of this act shall be null and void.

Amend the bill by inserting the following new sections:

170 Appropriation; School Building Aid. The sum of \$7,200,000 for the fiscal year ending June 30, 2015 is hereby appropriated to the department of education for the school building aid program established in RSA 198. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

171 Uncompensated Care Fund; Transfer to General Fund. The sum of \$7,200,000 for the fiscal year ending June 30, 2015 is hereby transferred from the uncompensated care fund to the general fund as unrestricted revenue. This amount shall be in addition to amounts listed as unrestricted revenue from the Medicaid enhancement tax in the operating budget.

### AMENDED ANALYSIS

3. Provides that no school or building aid or alternative school building aid grants shall be made to school districts for projects approved on or after July 1, 2013 through June 30, 2014, and provides for a waiver of the suspension of school building aid.

110. Appropriates funds for the school building aid program for the fiscal year ending June 30, 2015.

111. Makes transfers from the uncompensated care fund to the general fund.

Rep. Lynne Ober spoke in favor.

Rep. Wallner spoke against.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

### YEAS 159 NAYS 206

#### YEAS 159

#### BELKNAP

Burchell, Richard	Comtois, Guy	Fields, Dennis	Fink, Charles
Greemore, Robert Jr	Sylvia, Michael	Vadney, Herbert	Worsman, Colette

#### CARROLL

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Morrow, Harry	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Donald		

#### CHESHIRE

Emerson, Susan	Johnson, Jane
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#### COOS

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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#### GRAFTON

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond
Ladd, Rick Jr	Reilly, Harold Sr	Shackett, Jeffrey	

#### HILLSBOROUGH

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Christiansen, Lars	Coffey, James	Culbert, Patrick
Daniels, Gary	Danielson, David	Flanagan, Jack	Gagne, Larry

Garcia, Michael  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Vaillancourt, Steve

Gargasch, Carolyn  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Shaw, Barbara  
Sweeney, Shawn  
Villeneuve, Moe

Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Takesian, Charlene  
Willette, Robert

Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Ulery, Jordan

### MERRIMACK

Hess, David  
Lockwood, Priscilla  
Walsh, Thomas IV

Hoell, J.R.  
McGuire, Carol

Kidder, David  
Reed, Dennis

Kotowski, Frank  
Smith, Todd

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroadtter, Adam  
Sytek, John

Allen, Mary  
Birdsell, Regina  
Copeland, Timothy  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Waterhouse, Kevin

Baldasaro, Alfred  
Charron, Gene  
Danaïs, Romeo  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Webb, James Sr

Belanger, Ronald  
Chirichiello, Brian  
DeSimone, Debra  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oigny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

Mullen, John Jr

### SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

### NAYS 206

### BELKNAP

Arsenault, Beth  
Gulick, Ruth  
Raymond, Ian

Cormier, Jane  
Holmes, Stephen  
Tilton, Franklin

DiMartino, Lisa  
Huot, David

Flanders, Donald  
Luther, Robert

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Moynihan, Wayne
Theberge, Robert	Thomas, Yvonne		

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Harding, Laurie
Higgins, Patricia	Lauer, Linda	Lovett, Sid	Massimilla, Linda
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Boisvert, Ronald
Brown, Pamela	Campbell, David	Carroll, Douglas	Chandley, Shannon
Connor, Evelyn	Cote, David	DiSilvestro, Linda	Dobson, Jeremy
Gage, Ruth	Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Grady, Brenda	Hackel, Paul	Hammond, Jill
Hansberry, Daniel	Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin
Judy, Jean	Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Long, Patrick	MacKay, Mariellen
Manley, Jonathan Sr	McCloskey, David	McNamara, Richard	Nelson, Mary
O'Brien, Michael Sr	O'Neil, William	Porter, Marjorie	Ramsey, Peter
Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Smith, Timothy	Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel
Sullivan, Peter	Vail, Suzanne	Walsh, Robert Jr	Williams, Carol
Williams, Kermit	Winters, Joel	Woodbury, David	

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	MacKay, James	McGuire, Dan
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Chip	Richardson, Gary	Rogers, Katherine	Schamberg, Thomas
Schuett, Dianne	Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Cahill, Michael
Cushing, Robert Jr	Emerson-Brown, Rebecca	Flockhart, Eileen	Helmstetter, Barbara
Lovejoy, Patricia	Mann, Maureen	Moody, Marcia	Muns, Chris
Pantelakos, Laura	Scarlott, Joe	Schlachman, Donna	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela
Jones, Laura	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Miller, David	Pelletier, Marsha	Perry, Robert	Rogers, Rose Marie
Rollo, Deanna	Schmidt, Peter	Spang, Judith	Stevens, Audrey
Verschueren, James	Wall, Janet	Ward, Kenneth	

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Lefebvre, Benjamin	O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia

Tanner, Linda  
and floor amendment (1196h) failed.



The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Lynne Ober offered floor amendment (1163h).

### **Floor Amendment (1163h)**

Amend the bill by replacing section 160 with the following:

#### **160 Use of Surplus General Funds to Mitigate Certain Spending Reductions.**

I. Notwithstanding the provisions of RSA 9:13-e, at the close of the fiscal year ending June 30, 2013 and the fiscal year ending June 30, 2014, any surplus, as determined by the official audit performed pursuant to RSA 21-I:8, II(a) shall be used to fund the programs in paragraph III in priority order in fiscal year 2014 and 2015, respectively.

II. In the event of a general fund operating budget surplus, the comptroller shall notify the fiscal committee of the general court and the governor by January 30 requesting that such surplus, to the extent available, be appropriated to the programs listed in paragraph III in priority order in fiscal year 2014 and 2015, respectively.

III.(a) Any surplus determined under paragraphs I and II shall be used to fund the programs listed in the following order of priority:

	<u>FY 2014</u>	<u>FY 2015</u>
(1) Building Aid	\$0	\$7,200,000
(2) Uncompensated Care	\$6,400,000	\$26,500,000
(3) University System of New Hampshire	\$6,000,000	\$6,000,000
(4) Chartered Public Schools	\$1,012,550	\$1,446,500

(b) The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

(c) In the event that surplus general funds are sufficient to fund school building aid in fiscal year 2015 in subparagraph III(a)(1), the provisions of section 3 of this act shall not apply to fiscal year 2015.

(d) Funding authorized for chartered public schools in subparagraph III(a)(4) shall be in addition to any other funding authorized and in excess of any limitations on funding established for the biennium in this act. If surplus general funds determined in paragraphs I and II are sufficient to fund chartered public schools in paragraph III(a)(4), the provisions of section 152 of this act shall be null and void.

IV.(a) Any funds remaining from the fiscal year 2013 surplus after the appropriations in paragraphs I and II shall be deposited in the revenue stabilization reserve account.

(b) Any funds remaining from the fiscal year 2014 surplus after the appropriations in paragraphs I and II shall remain in the general fund.

Rep. Lynne Ober spoke in favor.

Rep. Wallner spoke against.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

### **YEAS 166 NAYS 197**

#### **YEAS 166**

#### **BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Greemore, Robert Jr	Holmes, Stephen	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Worsman, Colette	

#### **CARROLL**

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Morrow, Harry	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Donald		

#### **CHESHIRE**

Emerson, Susan	Johnson, Jane
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#### **COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad  
Gionet, Edmond

Bradley, Lester  
Ladd, Rick Jr

Brown, Rebecca  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Takesian, Charlene

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Ulery, Jordan

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gargas, Carolyn  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Shaw, Barbara  
Sullivan, Peter  
Villeneuve, Moe

Burt, John  
Coffey, James  
Dobson, Jeremy  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Sweeney, Shawn  
Willette, Robert

**MERRIMACK**

Hoell, J.R.  
McGuire, Carol  
Walsh, Thomas IV

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Reed, Dennis

Lockwood, Priscilla  
Smith, Todd

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroader, Adam  
Sytek, John

Allen, Mary  
Birdsell, Regina  
Copeland, Timothy  
Dumaine, Dudley  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Waterhouse, Kevin

Baldasaro, Alfred  
Charron, Gene  
Danais, Romeo  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Webb, James Sr

Belanger, Ronald  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McMahon, Charles  
Oigny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura  
Spang, Judith

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS 197****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Flanders, Donald

Gulick, Ruth

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles	Young, Harry		

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihn, Wayne	Theberge, Robert	Thomas, Yvonne	

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Higgins, Patricia
Lauer, Linda	Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Boisvert, Ronald	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Gage, Ruth	Gale, Sylvia
Garcia, Michael	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin	Jeudy, Jean
Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter	Levasseur, Nickolas
Levesque, Melanie	MacKay, Mariellen	Manley, Jonathan Sr	McCloskey, David
McNamara, Richard	Nelson, Mary	O'Brien, Michael Sr	O'Neil, William
Porter, Marjorie	Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy
Schmidt, Janice	Shattuck, Gilman	Smith, Timothy	Soucy, Timothy
Spratt, Stephen	Sullivan, Daniel	Vail, Suzanne	Vaillancourt, Steve
Walsh, Robert Jr	Williams, Carol	Williams, Kermit	Winters, Joel
Woodbury, David			

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Cahill, Michael
Cushing, Robert Jr	Emerson-Brown, Rebecca	Flockhart, Eileen	Helmstetter, Barbara
Lovejoy, Patricia	Mann, Maureen	McKinney, Betsy	Moody, Marcia
Muns, Chris	Pantelakos, Laura	Scarlotta, Joe	Schlachman, Donna
Sherman, Thomas	Till, Mary	Ward, Gerald	Wazlaw, Brian
Whittemore, Lisa			

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela

Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Ketel, Stephen  
Perry, Robert  
Stevens, Audrey

Malloy, Dennis  
Rogers, Rose Marie  
Verschueren, James

Miller, David  
Rollo, Deanna  
Wall, Janet

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Heame, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

and floor amendment (1163h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Vaillancourt offered floor amendment (1177h).

### Floor Amendment (1177h)

Amend the bill by deleting section 130.

### AMENDED ANALYSIS

Deletes paragraph 77 of the analysis.  
Rep. Vaillancourt spoke in favor and yielded to questions.  
Rep. Daniel Eaton spoke against.  
Rep. Boisvert requested a roll call; sufficiently seconded.

### YEAS 181 NAYS 186

#### YEAS 181

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Emerson, Susan

Johnson, Jane

#### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

Theberge, Robert

#### GRAFTON

Bailey, Brad  
Gionet, Edmond

Bradley, Lester  
Ladd, Rick Jr

Brown, Rebecca  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

#### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Flanagan, Jack  
Gorman, Mary  
Hikel, John  
Jasper, Shawn  
Levasseur, Nickolas  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Gagne, Larry  
Graham, John  
Hinch, Richard  
Kurk, Neal  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Garcia, Michael  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James

Burt, John  
Coffey, James  
Dobson, Jeremy  
Gargas, Carolyn  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony

Peterson, Lenette  
Sandblade, Emily  
Sullivan, Peter  
Vaillancourt, Steve

Pratt, Calvin  
Souza, Kathleen  
Sweeney, Shawn  
Villeneuve, Moe

Renzullo, Andrew  
Straight, Philip  
Takesian, Charlene  
Willette, Robert

Rowe, Robert  
Stroud, Kathleen  
Ulery, Jordan  
Winters, Joel

### **MERRIMACK**

Andrews, Christopher  
Kidder, David  
McGuire, Dan

Ebel, Karen  
Kotowski, Frank  
Reed, Dennis

Hess, David  
Lockwood, Priscilla  
Walsh, Thomas IV

Hoell, J.R.  
McGuire, Carol  
Webb, Leigh

### **ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
Sedensky, John  
Waterhouse, Kevin

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oligny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
St.James, Kevin  
Webb, James Sr

Baldasaro, Alfred  
Bishop, Franklin  
Copeland, Timothy  
Dumaine, Dudley  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Scarlotta, Joe  
Sweeney, Joe  
Weyler, Kenneth

Belanger, Ronald  
Charron, Gene  
Danais, Romeo  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Schroadter, Adam  
Sytek, John

### **STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Pitre, Joseph

Bixby, Peter  
Jones, Laura  
Spang, Judith

Gardner, Janice  
Mullen, John Jr

Gray, James  
Parsons, Robbie

### **SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

### **NAYS 186**

### **BELKNAP**

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

### **CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### **CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

### **COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Hatch, William

### **GRAFTON**

Aguilar, James  
Ford, Susan

Almy, Susan  
Friedrich, Carol

Benn, Bernard  
Harding, Laurie

Cooney, Mary  
Higgins, Patricia

Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Massimilla, Linda  
Piper, Wendy  
White, Andrew

Mulholland, Catherine  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gidge, Kenneth  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Goley, Jeffrey  
Hansberry, Daniel  
Judy, Jean  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne  
Woodbury, David

Boisvert, Ronald  
Chandley, Shannon  
Gage, Ruth  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Walsh, Robert Jr

Brown, Pamela  
Connor, Evelyn  
Gale, Sylvia  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Williams, Carol

### MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

Bartlett, Christy  
Carson, Clyde  
French, Barbara  
Hunt, Jane  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Burns, Scott  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cushing, Robert Jr  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Borden, David  
Emerson-Brown, Rebecca  
Mann, Maureen  
Schlachman, Donna  
Wazlaw, Brian

Briden, Steven  
Flockhart, Eileen  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

Cahill, Michael  
Helmstetter, Barbara  
Muns, Chris  
Till, Mary

### STRAFFORD

Baber, William  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Verschueren, James

Berube, Roger  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Wall, Janet

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

and floor amendment (1177h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Umberger offered floor amendment (1178h).

### Floor Amendment (1178h)

Amend the bill by replacing section 130 with the following:

130 Department of Administrative Services; Transfer of Dedicated Funds; General Fund Reimbursement.

I. Notwithstanding RSA 6:12 or any other law to the contrary, for the fiscal year ending June 30, 2013, the governor is hereby authorized to identify an amount of dedicated funds for transfer to

the general fund, sufficient to cover the budget shortfall. The department of administrative services, with prior approval of the fiscal committee of the general court, shall transfer the amounts of the funds identified by the governor to the general fund.

II. For the fiscal year ending June 30, 2013, the commissioner of administrative services shall file a report of all reimbursements of general fund costs resulting from settlements or other means to the fiscal committee of the general court.

III. The following dedicated funds listed in RSA 6:12, I (b) shall be exempt from paragraph I of this section:

(17) Money received under RSA 481:32, which shall be credited to the dam maintenance fund established under RSA 482:55.

(33) Money received in accordance with RSA 216-A:3-i which shall be credited to the state park fund.

(40) Moneys received under RSA 106-H which shall be credited to the enhanced 911 system fund established in RSA 106-H:9.

(42) Moneys received under RSA 233-A:13 and RSA 270-E: 5, II(d) which shall be credited to the statewide public boat access fund established in RSA 233-A:13.

(60) The designated portion of moneys received under RSA 261:97-a, which shall be credited to the conservation number plate trust fund established in RSA 261:97-b.

(99) Moneys deposited in the unemployment compensation and employment service administration fund under RSA 282-A:138.

(100) Moneys deposited in the unemployment compensation fund under RSA 282-A:103.

(110) Moneys deposited in the OHRV and snowmobile fund under RSA 215-A:3, VII and RSA 215-C:2, VIII.

(116) Moneys deposited in the trust fund for the New Hampshire land and community heritage investment trust program under RSA 227-M:7.

(160) Moneys deposited in the fish and game search and rescue fund under RSA 206:42.

(186) Moneys deposited in the wildlife habitat account under RSA 214:1-f, V.

(254) Moneys deposited in the game management account established in RSA 206:34-b.

Rep. Umberger spoke in favor and yielded to questions.

Rep. Daniel Eaton spoke against.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

## YEAS 185 NAYS 186

### YEAS 185

#### BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			

#### CARROLL

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Morrow, Harry	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Donald		

#### CHESHIRE

Emerson, Susan	Johnson, Jane	Mann, John
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#### COOS

Coulombe, Gary	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Thomas, Yvonne			

#### GRAFTON

Bailey, Brad	Bradley, Lester	Brown, Rebecca	Doolan, Ralph Jr
Gionet, Edmond	Ladd, Rick Jr	Reilly, Harold Sr	Shackett, Jeffrey

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Flanagan, Jack  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Manley, Jonathan Sr  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Shaw, Barbara  
Sullivan, Peter  
Vaillancourt, Steve  
Winters, Joel

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Gagne, Larry  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Sweeney, Shawn  
Villeneuve, Moe

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Garcia, Michael  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Takesian, Charlene  
Warden, Mark

Burt, John  
Coffey, James  
Dobson, Jeremy  
Gargas, Carolyn  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Ulery, Jordan  
Willette, Robert

**MERRIMACK**

Ebel, Karen  
Kotowski, Frank  
Reed, Dennis

Hess, David  
Lockwood, Priscilla  
Smith, Todd

Hoell, J.R.  
McGuire, Carol  
Walsh, Thomas IV

Kidder, David  
McGuire, Dan  
Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Tasker, Kyle

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Waterhouse, Kevin

Baldasaro, Alfred  
Bishop, Franklin  
Copeland, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oigny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Webb, James Sr

Belanger, Ronald  
Charron, Gene  
Danaïs, Romeo  
Dumaine, Dudley  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroadter, Adam  
Sytek, John  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Pitre, Joseph

Bixby, Peter  
Jones, Laura  
Spang, Judith

Gardner, Janice  
Mullen, John Jr

Gray, James  
Parsons, Robbie

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS 186****BELKNAP**

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan



**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Phillips, Larry  
Tatro, Bruce

BurrIDGE, Delmar  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Sad, Tara  
Weed, Charles

**COOS**

Enman, Larry  
Theberge, Robert

Hammon, Marcia

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Cote, David  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
O'Brien, Michael Sr  
Rhodes, Brian  
Smith, Timothy  
Vail, Suzanne  
Woodbury, David

Boisvert, Ronald  
ChandleY, Shannon  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Levasseur, Nickolas  
McCloskey, David  
O'Neil, William  
Rosenwald, Cindy  
Soucy, Timothy  
Walsh, Robert Jr

Brown, Pamela  
Connor, Evelyn  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Williams, Carol

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

Bartlett, Christy  
Carson, Clyde  
French, Barbara  
Hunt, Jane  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cushing, Robert Jr  
Lovejoy, Patricia  
Pantelakos, Laura  
Till, Mary

Borden, David  
Emerson-Brown, Rebecca  
Mann, Maureen  
ScarlottO, Joe  
Ward, Gerald

Briden, Steven  
Flockhart, Eileen  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Cahill, Michael  
Helmstetter, Barbara  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Ginsburg, Philip  
HorrigAn, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Verschueren, James

Berube, Roger  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Wall, Janet

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Stevens, Audrey

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Lefebvre, Benjamin	O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia
Tanner, Linda			

and floor amendment (1178h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Abrami offered floor amendment (1194h).

**Floor Amendment (1194h)**

Amend the bill by deleting section 25.  
Amend the bill by deleting section 97.  
Amend the bill by deleting section 104.  
Amend the bill by inserting the following new section:

170 Uncompensated Care Fund; Transfer to General Fund. The sums of \$5,000,000 for the fiscal year ending June 30, 2014 and \$8,000,000 for the fiscal year ending June 30, 2015 are hereby transferred from the uncompensated care fund to the general fund as unrestricted revenue. These amounts shall be in addition to amounts listed as unrestricted revenue from the Medicaid enhancement tax in the operating budget.

**AMENDED ANALYSIS**

Delete paragraph 24.  
Delete paragraph 62.  
Delete paragraph 65.

110. Makes transfers from the uncompensated care fund to the general fund.

Rep. Abrami spoke in favor.

Rep. Hatch spoke against.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

**YEAS 165 NAYS 202****YEAS 165****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Greemore, Robert Jr	Luther, Robert	Sylvia, Michael
Vadney, Herbert	Worsman, Colette		

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Morrow, Harry	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Donald		

**CHESHIRE**

Emerson, Susan	Johnson, Jane
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**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond
Ladd, Rick Jr	Reilly, Harold Sr	Shackett, Jeffrey	

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Flanagan, Jack
Gagne, Larry	Garcia, Michael	Gargasz, Carolyn	Graham, John
Haefner, Robert	Hansen, Peter	Hikel, John	Hinch, Richard

Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Villeneuve, Moe

Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Sweeney, Shawn  
Warden, Mark

Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Takesian, Charlene  
Willette, Robert

Kurk, Neal  
Marston, Dick  
Murotake, David  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Ulery, Jordan

### MERRIMACK

Hess, David  
Lockwood, Priscilla  
Smith, Todd

Hoell, J.R.  
McGuire, Carol  
Walsh, Thomas IV

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Reed, Dennis

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sapareto, Frank  
St.James, Kevin  
Webb, James Sr

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oigny, Jeffrey  
Perkins, Lawrence  
Scarlottio, Joe  
Sweeney, Joe  
Weyler, Kenneth

Baldasaro, Alfred  
Bishop, Franklin  
Copeland, Timothy  
Duarte, Joe  
Fesh, Robert  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Packard, Sherman  
Rice, Frederick  
Schroadter, Adam  
Sytek, John

Belanger, Ronald  
Charron, Gene  
Danais, Romeo  
Dumaine, Dudley  
Friel, William  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Sanders, Elisabeth  
Sedensky, John  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

### SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

### NAYS 202

### BELKNAP

Arsenault, Beth  
Holmes, Stephen

DiMartino, Lisa  
Huot, David

Flanders, Donald  
Raymond, Ian

Gulick, Ruth  
Tilton, Franklin

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Vaillancourt, Steve  
Winters, Joel

Boisvert, Ronald  
Chandley, Shannon  
Dobson, Jeremy  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr  
Woodbury, David

Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Jeudy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Carol

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cushing, Robert Jr  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Borden, David  
Emerson-Brown, Rebecca  
Mann, Maureen  
Schlachman, Donna  
Wazlaw, Brian

Briden, Steven  
Flockhart, Eileen  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

Cahill, Michael  
Helmstetter, Barbara  
Muns, Chris  
Till, Mary

**STRAFFORD**

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Perry, Robert  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Verschueren, James

Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

and floor amendment (1194h) failed.

The House recessed at 12:45 p.m.

**RECESS**

The House reconvened at 1:55 p.m.

**(Speaker Norelli in the Chair)**

**REGULAR CALENDAR – HB 2-FN-A-L CONT'D**

The question being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Kurk offered floor amendment (1195h).

**Floor Amendment (1195h)**

Amend the bill by replacing sections 98-99 with the following:

98 Tobacco Tax Rate Increased. Amend RSA 78:7 to read as follows:

78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of [~~\$1.68~~] **\$1.88** for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all cigarettes sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the cigarettes in which such products usually are sold at retail. The word “package” as used in this section shall not include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.

99 Tobacco Tax Rate. Amend RSA 78:7-c to read as follows:

78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer is hereby imposed on tobacco products other than cigarettes at a rate of [~~48~~] **53.7** percent of the wholesale sales price. The tax under this section may be rounded to the nearest cent if the commissioner determines that the amount of tax would not thereby be made materially disproportionate. No such tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States. No such tax shall be imposed on premium cigars.

Amend the bill by inserting the following new section:

170 Uncompensated Care Fund; Transfer to General Fund. The sums of \$10,000,000 for the fiscal year ending June 30, 2014 and \$10,000,000 for the fiscal year ending June 30, 2015 are hereby transferred from the uncompensated care fund to the general fund as unrestricted revenue. These amounts shall be in addition to amounts listed as unrestricted revenue from the Medicaid enhancement tax in the operating budget.

**AMENDED ANALYSIS**

110. Makes transfers from the uncompensated care fund to the general fund.

Rep. Kurk spoke in favor and yielded to questions.

Rep. Hatch spoke against and yielded to questions.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

**YEAS 168 NAYS 197**

**YEAS 168**

**BELKNAP**

Burchell, Richard  
Fink, Charles  
Tilton, Franklin

Comtois, Guy  
Greemore, Robert Jr  
Vadney, Herbert

Cormier, Jane  
Luther, Robert  
Worsman, Colette

Fields, Dennis  
Sylvia, Michael

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Johnson, Jane

Parkhurst, Henry

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

**HILLSBOROUGH**

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Christiansen, Lars	Coffey, James	Culbert, Patrick
Daniels, Gary	Danielson, David	Flanagan, Jack	Gagne, Larry
Garcia, Michael	Gargas, Carolyn	Graham, John	Haefner, Robert
Hansen, Peter	Hikel, John	Hinch, Richard	Hopper, Gary
Infantine, William	Jasper, Shawn	Kurk, Neal	LeBrun, Donald
LeVasseur, Richard	Marston, Dick	Martel, Andre	McCarthy, Michael
Meaney, Richard	Murotake, David	Murphy, Keith	Murphy, Kelleigh
Nelson, Mary	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Parison, James	Pellegrino, Tony
Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew	Rhodes, Brian
Rowe, Robert	Sandblade, Emily	Souza, Kathleen	Straight, Philip
Stroud, Kathleen	Sullivan, Daniel	Takesian, Charlene	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark	Willette, Robert
Winters, Joel			

**MERRIMACK**

Andrews, Christopher	Hess, David	Hoell, J.R.	Kidder, David
Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol	McGuire, Dan
Reed, Dennis	Smith, Todd	Walsh, Thomas IV	

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Belanger, Ronald	Bick, Patrick
Birdsell, Regina	Bishop, Franklin	Charron, Gene	Chirichiello, Brian
Comerford, Timothy	Copeland, Timothy	Danais, Romeo	DeSimone, Debra
Devine, James	Duarte, Joe	Dumaine, Dudley	Emerick, J. Tracy
Fesh, Robert	Friel, William	Garcia, Bianca	Garcia, Marilinda
Gordon, Richard	Grace, Curtis	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Hayes, Jack	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Kolodziej, Walter
Lundgren, David	Major, Norman	McKinney, Betsy	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Oigny, Jeffrey
Packard, Sherman	Peckham, Michele	Perkins, Amy	Perkins, Lawrence
Priestley, Anne	Rice, Frederick	Sanders, Elisabeth	Sapareto, Frank
Schroadter, Adam	Sedensky, John	St.James, Kevin	Sweeney, Joe
Sytek, John	Tasker, Kyle	Waterhouse, Kevin	Webb, James Sr
Weyler, Kenneth			

**STRAFFORD**

Beaudoin, Steven	Gray, James	Groen, Warren	Jones, Laura
Mullen, John Jr	Parsons, Robbie	Pitre, Joseph	

**SULLIVAN**

Grenier, James	Rollins, Skip	Smith, Steven
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**NAYS 197****BELKNAP**

Arsenault, Beth	DiMartino, Lisa	Flanders, Donald	Gulick, Ruth
Holmes, Stephen	Huot, David	Raymond, Ian	

**CARROLL**

Buco, Thomas	Butler, Edward	Lavender, Tom	Ticehurst, Susan
White, Syndi			

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys

Ley, Douglas  
Robertson, Timothy  
Weed, Charles

Mann, John  
Sad, Tara  
Young, Harry

Phillips, Larry  
Shepardson, Marjorie

Roberts, Kris  
Weber, Lucy

## COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Hatch, William

## GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

## HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Schmidt, Janice  
Soucy, Timothy  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Spratt, Stephen  
Williams, Kermit

Boisvert, Ronald  
Chandlee, Shannon  
Dobson, Jeremy  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
O'Brien, Michael Sr  
Ramsey, Peter  
Shaw, Barbara  
Sullivan, Peter  
Woodbury, David

Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Flaherty, Tim  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne

## MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

## ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Scarlotto, Joe  
Ward, Gerald

Borden, David  
Cushing, Robert Jr  
Helmstetter, Barbara  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Briden, Steven  
Elliott, Robert  
Khan, Aboul  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Till, Mary

## STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Verschuieren, James

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

and floor amendment (1195h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Cebrowski offered floor amendment (1186h).

**Floor Amendment (1186h)**

Amend the bill by inserting the following new section:

170 New Position; Department of Resources and Economic Development.

I. The intent of this section is to provide additional funds to the division of economic development within the department of resources and economic development to strengthen New Hampshire's economy by recruiting and relocating more advanced manufacturing and high technology businesses with higher paying jobs to the state and increasing the exports of existing New Hampshire businesses. This will result in an increase in the state's business tax revenue for needed state services.

II. There is established in the department of resources and economic development, division of economic development in accounting unit 03-35-35-3505-3612, an industrial agent-at-large position for the purpose of promoting international trade by New Hampshire industries.

III. In addition to any other sums appropriated for the biennium ending June 30, 2015, the following appropriations and charges are hereby authorized for the department of resources and economic development, division of economic development. Said appropriations shall be a charge against the funds as specified in the individual appropriation:

<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Fund Source</u>	<u>FY 2014</u>	<u>FY 2015</u>
03-35-35-3505-3600	046	Consultants	General Funds	\$2,500	\$2,500
03-35-35-3505-3600	066	Employee Training	General Funds	\$5,000	\$5,000
03-35-35-3505-3600	069	Promotional Marketing Exp	General Funds	\$100,000	\$100,000
03-35-35-3505-3600	070	In State Travel	General Funds	\$1,000	\$1,000
03-35-35-3505-3610	080	Out of State Travel	General Funds	\$20,000	\$20,000
03-35-35-3505-3612	010	Personal Services-Perm Clas	General Funds	\$48,770	\$50,915
03-35-35-3505-3612	060	Benefits	General Funds	\$25,818	\$27,672

**AMENDED ANALYSIS**

110. Establishes an industrial agent-at-large position in the department of resources and economic development and makes appropriations to fund the position.

Rep. Daniel Eaton spoke against.

Rep. Cebrowski spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 169 NAYS 201****YEAS 169****BELKNAP**

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Flanders, Donald  
Tilton, Franklin

Cormier, Jane  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Luther, Robert  
Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Emerson, Susan

Johnson, Jane

Roberts, Kris

**COOS**

Rappaport, Laurence

Richardson, Herbert



**GRAFTON**

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester  
Massimilla, Linda

Doolan, Ralph Jr  
Reilly, Harold Sr

Gionet, Edmond  
Shackett, Jeffrey

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Sullivan, Peter  
Williams, Kermit

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Takesian, Charlene

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gargas, Carolyn  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Ulery, Jordan

Burt, John  
Coffey, James  
Flanagan, Jack  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murotake, David  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Villeneuve, Moe

**MERRIMACK**

Hess, David  
Lockwood, Priscilla  
Smith, Todd

Hoell, J.R.  
McGuire, Carol  
Walsh, Thomas IV

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Reed, Dennis

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Sytek, John

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
Sherman, Thomas  
Waterhouse, Kevin

Baldasaro, Alfred  
Bishop, Franklin  
Copeland, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oligny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
StJames, Kevin  
Webb, James Sr

Belanger, Ronald  
Charron, Gene  
Danaïs, Romeo  
Dumaine, Dudley  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroadter, Adam  
Sweeney, Joe  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Mullen, John Jr

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

**SULLIVAN**

Grenier, James

Rollins, Skip

Schmidt, Andrew

Smith, Steven

**NAYS 201****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Weber, Lucy	Weed, Charles
Young, Harry			

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihn, Wayne	Rideout, Leon	Thomas, Yvonne	

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Harding, Laurie
Higgins, Patricia	Lauer, Linda	Lovett, Sid	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Boisvert, Ronald	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Dobson, Jeremy	Gage, Ruth
Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin	Judy, Jean
Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter	Levasseur, Nickolas
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr
McCloskey, David	McNamara, Richard	Murphy, Keith	Nelson, Mary
O'Brien, Michael Sr	O'Flaherty, Tim	O'Neil, William	Porter, Marjorie
Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice
Shattuck, Gilman	Shaw, Barbara	Smith, Timothy	Soucy, Timothy
Spratt, Stephen	Sullivan, Daniel	Vail, Suzanne	Vaillancourt, Steve
Walsh, Robert Jr	Warden, Mark	Willette, Robert	Winters, Joel
Woodbury, David			

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuetz, Dianne
Shurtliff, Stephen	Tilton, Joy	Turcotte, Alan	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cushing, Robert Jr	Emerson-Brown, Rebecca	Flockhart, Eileen
Helmstetter, Barbara	Lovejoy, Patricia	Mann, Maureen	Moody, Marcia
Muns, Chris	Pantelakos, Laura	Scarlotta, Joe	Schlachman, Donna
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela

Jones, Laura  
Miller, David  
Rollo, Deanna  
Verschueren, James

Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

Ketel, Stephen  
Perry, Robert  
Spang, Judith  
Ward, Kenneth

Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
and floor amendment (1186h) failed.

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Irwin, Virginia  
Tanner, Linda

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Hopper offered floor amendment (1219h).

### Floor Amendment (1219h)

Amend the bill by deleting section 22.

### AMENDED ANALYSIS

Delete paragraph 21.

Rep. Daniel Eaton spoke against and yielded to questions.

Rep. Hopper spoke in favor and requested a roll call; sufficiently seconded.

### YEAS 174 NAYS 195

### YEAS 174

### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Emerson, Susan

Johnson, Jane

Roberts, Kris

### COOS

Coulombe, Gary

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr  
White, Andrew

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
Martel, Andre  
Murphy, Keith  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
McCarthy, Michael  
Murphy, Kelleigh  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Long, Patrick  
Meaney, Richard  
Nelson, Mary  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert

Burt, John  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Marston, Dick  
Murotake, David  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily

Soucy, Timothy  
Takesian, Charlene  
Warden, Mark

Souza, Kathleen  
Ulery, Jordan  
Willette, Robert

Straight, Philip  
Vaillancourt, Steve  
Winters, Joel

Stroud, Kathleen  
Villeneuve, Moe

### MERRIMACK

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank  
Reed, Dennis

Lockwood, Priscilla  
Smith, Todd

McGuire, Carol  
Walsh, Thomas IV

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Webb, James Sr

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McMahon, Charles  
Oligny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Weyler, Kenneth

Baldasaro, Alfred  
Bishop, Franklin  
Copeland, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroadter, Adam  
Sytek, John

Belanger, Ronald  
Charron, Gene  
Danais, Romeo  
Dumaine, Dudley  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Groen, Warren  
Pitre, Joseph

Berube, Roger  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

### SULLIVAN

Lefebvre, Benjamin

Rollins, Skip

Smith, Steven

### NAYS 195

### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

### COOS

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia

Almy, Susan  
Ford, Susan  
Lauer, Linda

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda

Mulholland, Catherine  
Shackett, Jeffrey

Nordgren, Sharon  
Smith, Suzanne

Pastor, Beatriz  
Sykes, George

Piper, Wendy  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Levasseur, Nicholas  
McCloskey, David  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McNamara, Richard  
Ramsey, Peter  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Boisvert, Ronald  
Chandle, Shannon  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
MacKay, Mariellen  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Peter  
Woodbury, David

Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Helmstetter, Barbara  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

Borden, David  
Cushing, Robert Jr  
Lovejoy, Patricia  
Pantelakos, Laura  
Till, Mary

Briden, Steven  
Emerson-Brown, Rebecca  
Mann, Maureen  
Scarlotta, Joe  
Ward, Gerald

Burtis, Elizabeth  
Flockhart, Eileen  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Verschuere, James

Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

and floor amendment (1219h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (1190h).

### Floor Amendment (1190h)

Amend RSA 200-N:3, V as inserted by section 90 of the bill by replacing it with the following:

V. Procedures for determining the amount of funds available each fiscal year for scholarships, provided that not more than \$200,000 per fiscal year shall be disbursed.

**AMENDED ANALYSIS**

57. Establishes a needs-based scholarship program and limits the amount of scholarship funds disbursed in a fiscal year.

Rep. Ford spoke against and yielded to questions.

Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 140 NAYS 225****YEAS 140****BELKNAP**

Arsenault, Beth	Burchell, Richard	Comtois, Guy	Cormier, Jane
Fields, Dennis	Fink, Charles	Flanders, Donald	Greemore, Robert Jr
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	McConkey, Mark	Morrow, Harry
Nelson, Bill	Umberger, Karen	Wright, Donald	

**CHESHIRE**

Emerson, Susan	Johnson, Jane
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**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bradley, Lester	Doolan, Ralph Jr	Ladd, Rick Jr	Reilly, Harold Sr
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**HILLSBOROUGH**

Belanger, James	Boehm, Ralph	Burt, John	Byron, Frank
Christiansen, Lars	Coffey, James	Culbert, Patrick	Daniels, Gary
Danielson, David	Flanagan, Jack	Gagne, Larry	Garcia, Michael
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Hinch, Richard	Hopper, Gary	Jasper, Shawn	Kurk, Neal
Lambert, George	LeBrun, Donald	LeVasseur, Richard	Marston, Dick
Martel, Andre	McCarthy, Michael	Meaney, Richard	Murotake, David
Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine	O'Brien, William
O'Flaherty, Tim	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Parison, James	Pellegrino, Tony	Peterson, Lenette	Pratt, Calvin
Renzullo, Andrew	Rowe, Robert	Sandblade, Emily	Souza, Kathleen
Straight, Philip	Stroud, Kathleen	Takesian, Charlene	Ulery, Jordan
Villeneuve, Moe	Warden, Mark	Willette, Robert	

**MERRIMACK**

Hoell, J.R.	Kotowski, Frank	Lockwood, Priscilla	McGuire, Carol
McGuire, Dan	Reed, Dennis		

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Birdsell, Regina
Charon, Gene	Chirichiello, Brian	Comerford, Timothy	Danais, Romeo
DeSimone, Debra	Devine, James	Duarte, Joe	Dumaine, Dudley
Emerick, J. Tracy	Fesh, Robert	Friel, William	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Grace, Curtis	Griffin, Mary
Hagan, Joseph	Hayes, Jack	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Khan, Aboul
Kolodziej, Walter	McMahon, Charles	Milz, David	O'Connor, John
Oligny, Jeffrey	Packard, Sherman	Perkins, Lawrence	Priestley, Anne

Rice, Frederick  
Sedensky, John  
Webb, James Sr

Sanders, Elisabeth  
Sweeney, Joe  
Weyler, Kenneth

Sapareto, Frank  
Sytek, John

Schroadter, Adam  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Mullen, John Jr

Bickford, David  
Parsons, Robbie

Gray, James  
Pitre, Joseph

Groen, Warren

### SULLIVAN

Smith, Steven

### NAYS 225

### BELKNAP

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

Huot, David

### CARROLL

Buco, Thomas  
Lavender, Tom

Butler, Edward  
Schmidt, Stephen

Cordelli, Glenn  
Ticehurst, Susan

Crawford, Karel  
White, Syndi

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

Butynski, William  
Ley, Douglas  
Roberts, Kris  
Weber, Lucy

### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

### GRAFTON

Aguiar, James  
Brown, Rebecca  
Gionet, Edmond  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Bailey, Brad  
Ford, Susan  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Infantine, William  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Winters, Joel

Barry, Richard  
Campbell, David  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Vaillancourt, Steve  
Woodbury, David

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Judy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

Boisvert, Ronald  
Chandlely, Shannon  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott

Andrews, Christopher  
Carey, Lorrie

Bartlett, Christy  
Carson, Clyde

Bouchard, Candace  
Davis, Frank

Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 Moffett, Howard  
 Rice, Chip  
 Schuett, Dianne  
 Wallner, Mary Jane  
 Webb, Leigh

Frambach, Mary  
 Henle, Paul  
 Kelly, Sally  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walsh, Thomas IV

Frazer, June  
 Hirsch, Geoffrey  
 Kidder, David  
 Patten, Dick  
 Rogers, Katherine  
 Tilton, Joy  
 Walz, Mary Beth

French, Barbara  
 Hunt, Jane  
 MacKay, James  
 Ratzki, Mario  
 Schamberg, Thomas  
 Turcotte, Alan  
 Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
 Burtis, Elizabeth  
 Elliott, Robert  
 Helmstetter, Barbara  
 McKinney, Betsy  
 Pantelakos, Laura  
 Schlachman, Donna  
 Ward, Gerald

Bick, Patrick  
 Cahill, Michael  
 Emerson-Brown, Rebecca  
 Lovejoy, Patricia  
 Moody, Marcia  
 Peckham, Michele  
 Sherman, Thomas  
 Wazlaw, Brian

Borden, David  
 Copeland, Timothy  
 Flockhart, Eileen  
 Major, Norman  
 Muns, Chris  
 Perkins, Amy  
 St.James, Kevin  
 Whittemore, Lisa

Briden, Steven  
 Cushing, Robert Jr  
 Harris, Jeffrey  
 Mann, Maureen  
 Nigrello, Robert  
 Scarlotto, Joe  
 Till, Mary

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Jones, Laura  
 Miller, David  
 Rollo, Deanna  
 Verschueren, James

Berube, Roger  
 Gardner, Janice  
 Hooper, Dorothea  
 Kaen, Naida  
 Pelletier, Marsha  
 Schmidt, Peter  
 Wall, Janet

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Ketel, Stephen  
 Perry, Robert  
 Spang, Judith  
 Ward, Kenneth

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Stevens, Audrey

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Schmidt, Andrew  
 and floor amendment (1190h) failed.

Gagnon, Raymond  
 Lefebvre, Benjamin  
 Sweeney, Cynthia

Gottling, Suzanne  
 O'Hearne, Andrew  
 Tanner, Linda

Grenier, James  
 Rollins, Skip

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
 Rep. Hoell offered floor amendment (1200h).

### Floor Amendment (1200h)

Amend the bill by deleting section 87.

Rep. Myler spoke against.

Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 151 NAYS 213**

### YEAS 151

#### BELKNAP

Burchell, Richard  
 Fink, Charles  
 Luther, Robert  
 Worsman, Colette

Comtois, Guy  
 Flanders, Donald  
 Sylvia, Michael

Cormier, Jane  
 Greemore, Robert Jr  
 Tilton, Franklin

Fields, Dennis  
 Holmes, Stephen  
 Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
 Merrow, Harry  
 Wright, Donald

Chandler, Gene  
 Nelson, Bill

Cordelli, Glenn  
 Schmidt, Stephen

McConkey, Mark  
 Umberger, Karen

### CHESHIRE

Emerson, Susan

Johnson, Jane



**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**Bailey, Brad  
Ladd, Rick JrBradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Garcia, Michael  
Hinch, Richard  
Lambert, George  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Vaillancourt, SteveBelanger, James  
Cebrowski, John  
Daniels, Gary  
Graham, John  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Villeneuve, MoeBoehm, Ralph  
Christiansen, Lars  
Flanagan, Jack  
Haefner, Robert  
Infantine, William  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Takesian, Charlene  
Warden, MarkBurt, John  
Coffey, James  
Gagne, Larry  
Hikel, John  
Jasper, Shawn  
Marston, Dick  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Ulery, Jordan  
Willette, Robert**MERRIMACK**Hess, David  
McGuire, Carol  
Walsh, Thomas IVHoell, J.R.  
McGuire, DanKotowski, Frank  
Reed, DennisLockwood, Priscilla  
Smith, Todd**ROCKINGHAM**Abrami, Patrick  
Charron, Gene  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Hayes, Jack  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Waterhouse, KevinBaldasaro, Alfred  
Comerford, Timothy  
Dumaine, Dudley  
Friel, William  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
Packard, Sherman  
Sanders, Elisabeth  
St.James, Kevin  
Webb, James SrBick, Patrick  
Danaïs, Romeo  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McMahon, Charles  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Weyler, KennethBirdsell, Regina  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Priestley, Anne  
Schroadter, Adam  
Sytek, John**STRAFFORD**Beaudoin, Steven  
Jones, LauraBickford, David  
Mullen, John JrGray, James  
Parsons, RobbieGroen, Warren  
Pitre, Joseph**SULLIVAN**

Rollins, Skip

Smith, Steven

**NAYS 213****BELKNAP**Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

**CARROLL**Buco, Thomas  
Ticehurst, SusanButler, Edward  
White, Syndi

Crawford, Karel

Lavender, Tom

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

Butynski, William  
Ley, Douglas  
Roberts, Kris  
Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Kopka, Angeline  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

Beaulieu, Jane  
Carroll, Douglas  
Danielson, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kurk, Neal  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Boisvert, Ronald  
Chandley, Shannon  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Hansen, Peter  
Judy, Jean  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

Brown, Pamela  
Connor, Evelyn  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

**ROCKINGHAM**

Allen, Mary  
Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Mann, Maureen  
Oigny, Jeffrey  
Scarlott, Joe  
Ward, Gerald

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Flockhart, Eileen  
Moody, Marcia  
Pantelakos, Laura  
Schlachman, Donna  
Wazlaw, Brian

Borden, David  
Copeland, Timothy  
Helmstetter, Barbara  
Muns, Chris  
Peckham, Michele  
Sherman, Thomas  
Whittemore, Lisa

Briden, Steven  
Cushing, Robert Jr  
Lovejoy, Patricia  
Nigrello, Robert  
Perkins, Amy  
Till, Mary

**STRAFFORD**

Baber, William  
Burke, Rachel

Berube, Roger  
Gardner, Janice

Bixby, Peter  
Ginsburg, Philip

Burdwood, Greg  
Grassie, Anne

Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Spang, Judith  
Ward, Kenneth

Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Stevens, Audrey

Horrigan, Timothy  
Malloy, Dennis  
Rollo, Deanna  
Verschueren, James

Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia  
and floor amendment (1200h) failed.

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Hoell offered floor amendment (1201h).

### Floor Amendment (1201h)

Amend the bill by deleting section 152.

### AMENDED ANALYSIS

Delete paragraph 96.  
Rep. Ford spoke against.  
Rep. Hoell spoke in favor and requested a roll call; sufficiently seconded.

### YEAS 169 NAYS 196

#### YEAS 169

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Emerson, Susan

Johnson, Jane

Roberts, Kris

#### COOS

Richardson, Herbert

Rideout, Leon

#### GRAFTON

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

#### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin

Burt, John  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew

Rowe, Robert  
Straight, Philip  
Villeneuve, Moe

Sandblade, Emily  
Stroud, Kathleen  
Warden, Mark

Shaw, Barbara  
Takesian, Charlene  
Willette, Robert

Souza, Kathleen  
Ulery, Jordan  
Winters, Joel

### MERRIMACK

Hess, David  
Lockwood, Priscilla  
Smith, Todd

Hoell, J.R.  
McGuire, Carol  
Walsh, Thomas IV

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Reed, Dennis

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Sytek, John

Allen, Mary  
Birdsell, Regina  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Perkins, Amy  
Sanders, Elisabeth  
Sherman, Thomas  
Waterhouse, Kevin

Baldasaro, Alfred  
Bishop, Franklin  
Copeland, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Perkins, Lawrence  
Sapareto, Frank  
St.James, Kevin  
Webb, James Sr

Belanger, Ronald  
Charron, Gene  
Danaïs, Romeo  
Dumaine, Dudley  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
McMahon, Charles  
Packard, Sherman  
Priestley, Anne  
Schroadter, Adam  
Sweeney, Joe  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

### SULLIVAN

Grenier, James

Irwin, Virginia

Rollins, Skip

Smith, Steven

### NAYS 196

### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Boisvert, Ronald	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Dobson, Jeremy	Gage, Ruth
Gale, Sylvia	Gargas, Carolyn	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Grady, Brenda	Hackel, Paul	Hammond, Jill
Hansberry, Daniel	Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin
Judy, Jean	Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Long, Patrick	MacKay, Mariellen
Manley, Jonathan Sr	McCloskey, David	McNamara, Richard	Nelson, Mary
O'Brien, Michael Sr	O'Neil, William	Porter, Marjorie	Ramsey, Peter
Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Smith, Timothy	Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel
Vail, Suzanne	Vaillancourt, Steve	Walsh, Robert Jr	Williams, Kermit
Woodbury, David			

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cushing, Robert Jr	Emerson-Brown, Rebecca	Flockhart, Eileen
Hayes, Jack	Helmstetter, Barbara	Lovejoy, Patricia	Mann, Maureen
Moody, Marcia	Muns, Chris	Pantelakos, Laura	Scarlotta, Joe
Schlachman, Donna	Till, Mary	Ward, Gerald	Wazlaw, Brian
Whittemore, Lisa			

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horriggan, Timothy	Hubbard, Pamela
Kaen, Naida	Ketel, Stephen	Malloy, Dennis	Miller, David
Pelletier, Marsha	Perry, Robert	Rogers, Rose Marie	Rollo, Deanna
Schmidt, Peter	Spang, Judith	Stevens, Audrey	Verschueren, James
Wall, Janet	Ward, Kenneth		

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Lefebvre, Benjamin
O'Hearne, Andrew	Schmidt, Andrew	Tanner, Linda	

and floor amendment (1201h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hoell offered floor amendment (1202h).

**Floor Amendment (1202h)**

Amend the bill by deleting section 86.

**AMENDED ANALYSIS**

54. Limits department of education expenditures for chartered public schools to 100 percent of budgeted amounts.

Rep. Itse spoke in favor.

Rep. Ford spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

## YEAS 159 NAYS 205

### YEAS 159

#### BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			

#### CARROLL

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Morrow, Harry	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Donald		

#### CHESHIRE

Emerson, Susan	Johnson, Jane
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#### COOS

Richardson, Herbert	Rideout, Leon
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#### GRAFTON

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Ladd, Rick Jr
Massimilla, Linda	Reilly, Harold Sr		

#### HILLSBOROUGH

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Danielson, David	Flanagan, Jack
Gagne, Larry	Garcia, Michael	Graham, John	Haefner, Robert
Hikel, John	Hinch, Richard	Hopper, Gary	Infantine, William
Jasper, Shawn	Kurk, Neal	Lambert, George	LeBrun, Donald
LeVasseur, Richard	Marston, Dick	Martel, Andre	McCarthy, Michael
Meaney, Richard	Murotake, David	Murphy, Keith	Murphy, Kelleigh
Notter, Jeanine	O'Brien, William	O'Flaherty, Tim	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Parison, James	Pellegrino, Tony
Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew	Rowe, Robert
Sandblade, Emily	Souza, Kathleen	Straight, Philip	Stroud, Kathleen
Takesian, Charlene	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Warden, Mark	Willette, Robert	Winters, Joel	

#### MERRIMACK

Hess, David	Hoell, J.R.	Kotowski, Frank	Lockwood, Priscilla
McGuire, Carol	McGuire, Dan	Reed, Dennis	Smith, Todd
Walsh, Thomas IV			

#### ROCKINGHAM

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Belanger, Ronald
Bick, Patrick	Birdsell, Regina	Bishop, Franklin	Charron, Gene
Chirichello, Brian	Comerford, Timothy	Danais, Romeo	DeSimone, Debra
Devine, James	Duarte, Joe	Dumaine, Dudley	Elliott, Robert
Emerick, J. Tracy	Fesh, Robert	Friel, William	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert

Itse, Daniel  
Major, Norman  
O'Connor, John  
Perkins, Lawrence  
Sapareto, Frank  
Sytek, John

Kappler, Lawrence  
McKinney, Betsy  
Packard, Sherman  
Priestley, Anne  
Schroadter, Adam  
Waterhouse, Kevin

Khan, Aboul  
McMahon, Charles  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Webb, James Sr

Kolodziej, Walter  
Milz, David  
Perkins, Amy  
Sanders, Elisabeth  
Sweeney, Joe  
Weyler, Kenneth

### **STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

### **SULLIVAN**

Grenier, James

Smith, Steven

### **NAYS 205**

#### **BELKNAP**

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

### **CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### **CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Robertson, Timothy  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

Butynski, William  
Ley, Douglas  
Roberts, Kris  
Weber, Lucy

### **COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

### **GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

### **HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Woodbury, David

Boisvert, Ronald  
Chandley, Shannon  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne

Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	Kidder, David	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Chip	Richardson, Gary	Rogers, Katherine	Schamberg, Thomas
Schuett, Dianne	Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Copeland, Timothy	Cushing, Robert Jr	Emerson-Brown, Rebecca
Flockhart, Eileen	Hayes, Jack	Helmstetter, Barbara	Lovejoy, Patricia
Mann, Maureen	Moody, Marcia	Muns, Chris	Nigrello, Robert
Pantelakos, Laura	Scarlottio, Joe	Schlachman, Donna	Sherman, Thomas
St.James, Kevin	Till, Mary	Ward, Gerald	Wazlaw, Brian
Whittemore, Lisa			

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horriggan, Timothy	Hubbard, Pamela
Kaen, Naida	Ketel, Stephen	Malloy, Dennis	Miller, David
Pelletier, Marsha	Perry, Robert	Rogers, Rose Marie	Rollo, Deanna
Schmidt, Peter	Spang, Judith	Stevens, Audrey	Verschueren, James
Wall, Janet	Ward, Kenneth		

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Lefebvre, Benjamin	O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia
Tanner, Linda			

and floor amendment (1202h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Hoell offered floor amendment (1203h).

**Floor Amendment (1203h)**

Amend the bill by deleting section 91.

**AMENDED ANALYSIS**

Delete paragraph 58.

Rep. Carol McGuire spoke in favor and yielded to questions.

Rep. Ford spoke against.

Rep. Baldasaro spoke in favor.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

**YEAS 158 NAYS 205**

**YEAS 158****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			



**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Emerson, Susan

Johnson, Jane

Roberts, Kris

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Garcia, Michael  
Hikel, John  
Kurk, Neal  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Ulery, Jordan  
Winters, Joel

Belanger, James  
Cebrowski, John  
Danielson, David  
Graham, John  
Hinch, Richard  
Lambert, George  
Marston, Dick  
Murotake, David  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Villeneuve, Moe

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Infantine, William  
LeBrun, Donald  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Warden, Mark

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn  
Levasseur, Nickolas  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Takesian, Charlene  
Willette, Robert

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Reed, Dennis

Kotowski, Frank  
Smith, Todd

McGuire, Carol  
Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Comerford, Timothy  
Duarte, Joe  
Friel, William  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Perkins, Lawrence  
Sapareto, Frank  
Sweeney, Joe  
Weyler, Kenneth

Allen, Mary  
Bishop, Franklin  
Danaïs, Romeo  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
McMahon, Charles  
Packard, Sherman  
Priestley, Anne  
Schroader, Adam  
Sytek, John

Baldasaro, Alfred  
Charron, Gene  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Waterhouse, Kevin

Bick, Patrick  
Chirichiello, Brian  
Devine, James  
Fesh, Robert  
Gordon, Richard  
Hayes, Jack  
Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Webb, James Sr

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

**SULLIVAN**

Rollins, Skip

Smith, Steven

## NAYS 205 BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

## CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

## CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

## COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

## GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

## HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Boisvert, Ronald  
Chandley, Shannon  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Vaillancourt, Steve

Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

## MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

## ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth

Belanger, Ronald  
Cahill, Michael

Borden, David  
Copeland, Timothy

Briden, Steven  
Cushing, Robert Jr

Emerson-Brown, Rebecca  
Mann, Maureen  
Pantelakos, Laura  
Till, Mary

Flockhart, Eileen  
Moody, Marcia  
Scarlottio, Joe  
Ward, Gerald

Helmstetter, Barbara  
Muns, Chris  
Schlachman, Donna  
Wazlaw, Brian

Lovejoy, Patricia  
Oigny, Jeffrey  
Sherman, Thomas  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Spang, Judith  
Ward, Kenneth

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Verschueren, James

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia  
and floor amendment (1203h) failed.

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Hoell offered floor amendment (1204h).

### Floor Amendment (1204h)

Amend the bill by replacing section 84 with the following:

84 Adequate Education Grants; Tuition Payments to Chartered Public Schools. Amend RSA 198:42, IV to read as follows:

IV. For the fiscal year-beginning July 1, ~~[2011]~~ **2013**, and every fiscal year thereafter, the ~~[department of education may expend funds up to 110 percent of budgeted amounts as]~~ **amount** necessary to fund chartered public school tuition payments under RSA 194-B:11, I~~[-Said amounts are]~~ **is** hereby appropriated to the department from the education trust fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the education trust fund. ~~[In the event that chartered public school tuition payments exceed budgeted amounts by over 10 percent, the department of education may expend funds in excess of said amounts, with the approval of the fiscal committee of the general court and governor and council. Said funds shall be paid from the education trust fund established under RSA 198:39 upon the warrant of the governor out of any money in the fund not otherwise appropriated.]~~

Amend the bill by deleting section 88.

### AMENDED ANALYSIS

54. Appropriates the amount necessary to fund chartered public schools each fiscal year, and requires the state board of education to approve chartered public school applications involving changes in enrollment and review whether a proposed chartered public school will serve a geographic or programmatic need in the state.

Delete paragraph 55.

Reps. Dan McGuire and Shaw spoke in favor.

**(Rep. Kaen in the Chair)**

Rep. Myler spoke against.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 158 NAYS 201**

**YEAS 158**

**BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Morrow, Harry  
Wright, Donald

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Emerson, Susan

Johnson, Jane

Roberts, Kris

**COOS**

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ladd, Rick Jr

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**

Belanger, James  
Cebrowski, John  
Danielson, David  
Graham, John  
Hinch, Richard  
LeBrun, Donald  
Martel, Andre  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Ulerly, Jordan

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Infantine, William  
Levasseur, Nickolas  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Villeneuve, Moe

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Shaw, Barbara  
Sullivan, Peter  
Willette, Robert

Byron, Frank  
Daniels, Gary  
Garcia, Michael  
Hikel, John  
Lambert, George  
Marston, Dick  
Murotake, David  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Takesian, Charlene  
Winters, Joel

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Reed, Dennis

Kotowski, Frank  
Smith, Todd

McGuire, Carol  
Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
Packard, Sherman  
Priestley, Anne  
Scarlottio, Joe  
Sweeney, Joe  
Weyler, Kenneth

Allen, Mary  
Bishop, Franklin  
Danais, Romeo  
Dumaine, Dudley  
Friel, William  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
McMahon, Charles  
Peckham, Michele  
Rice, Frederick  
Schroadter, Adam  
Sytek, John

Baldasaro, Alfred  
Charron, Gene  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Perkins, Amy  
Sanders, Elisabeth  
Sedensky, John  
Waterhouse, Kevin

Bick, Patrick  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Perkins, Lawrence  
Sapareto, Frank  
St.James, Kevin  
Webb, James Sr

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura  
Spang, Judith

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

### NAYS 201 BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Kurk, Neal  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Smith, Timothy  
Vail, Suzanne  
Woodbury, David

Barry, Richard  
Campbell, David  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Rosenwald, Cindy  
Soucy, Timothy  
Vaillancourt, Steve

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Boisvert, Ronald  
Chandley, Shannon  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kopka, Angeline  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael

Borden, David  
Copeland, Timothy

Briden, Steven  
Cushing, Robert Jr

Burtis, Elizabeth  
Emerson-Brown, Rebecca

Flockhart, Eileen  
Mann, Maureen  
Oligny, Jeffrey  
Till, Mary

Hayes, Jack  
Moody, Marcia  
Pantelakos, Laura  
Ward, Gerald

Helmstetter, Barbara  
Muns, Chris  
Schlachman, Donna  
Wazlaw, Brian

Lovejoy, Patricia  
Nigrello, Robert  
Sherman, Thomas  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Perry, Robert  
Stevens, Audrey

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Verschueren, James

Bixby, Peter  
Ginsburg, Philip  
Horriggan, Timothy  
Miller, David  
Rollo, Deanna  
Wall, Janet

Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

and floor amendment (1204h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Kurk offered floor amendment (1199h).

### Floor Amendment (1199h)

Amend the bill by inserting the following new section:

170 Moratoriums; Wind Turbine Plants; Electric Transmission Line Projects. Notwithstanding any provision of law to the contrary, there are hereby established moratoriums on the construction of wind turbine plants and electric transmission line projects in the state of New Hampshire until June 30, 2014. The site evaluation committee, established in RSA 162-H:3, shall issue no certificates for wind turbine plants and electric transmission line projects under RSA 162-H while such moratoriums are in effect.

### AMENDED ANALYSIS

110 Establishes moratoriums on the construction of wind turbine plants and on electric transmission line projects until June 30, 2014.

Rep. Kurk spoke in favor and yielded to questions.

Rep. Pastor spoke against.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

**YEAS 126 NAYS 229**

### YEAS 126

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Tilton, Franklin

Comtois, Guy  
Flanders, Donald  
Vadney, Herbert

Cormier, Jane  
Greemore, Robert Jr  
Worsman, Colette

DiMartino, Lisa  
Luther, Robert

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Ticehurst, Susan

Chandler, Gene  
Morrow, Harry  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

None

### COOS

Richardson, Herbert

Rideout, Leon

Theberge, Robert

### GRAFTON

Bailey, Brad

Bradley, Lester

Brown, Rebecca

Cooney, Mary

Doolan, Ralph Jr  
Lovett, Sid  
Shackett, Jeffrey

Ford, Susan  
Massimilla, Linda  
Smith, Suzanne

Ladd, Rick Jr  
Piper, Wendy

Lauer, Linda  
Reilly, Harold Sr

### HILLSBOROUGH

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Jasper, Shawn  
Marston, Dick  
Notter, Jeanine  
Peterson, Lenette  
Straight, Philip

Burt, John  
Culbert, Patrick  
Graham, John  
Kurk, Neal  
Martel, Andre  
Palmer, Stephen  
Renzullo, Andrew  
Ulery, Jordan

Byron, Frank  
Dobson, Jeremy  
Hikel, John  
LeBrun, Donald  
McCarthy, Michael  
Parison, James  
Rowe, Robert  
Villeneuve, Moe

Cebrowski, John  
Flanagan, Jack  
Hinch, Richard  
Manley, Jonathan Sr  
Murphy, Kelleigh  
Pellegrino, Tony  
Souza, Kathleen  
Willette, Robert

### MERRIMACK

Andrews, Christopher  
Kidder, David

Ebel, Karen  
Walsh, Thomas IV

Hess, David

Hoell, J.R.

### ROCKINGHAM

Abami, Patrick  
Birdsell, Regina  
Comerford, Timothy  
Duarte, Joe  
Emerson-Brown, Rebecca  
Gordon, Richard  
Hoelzel, Kathleen  
McKinney, Betsy  
Packard, Sherman  
Sanders, Elisabeth  
Webb, James Sr

Allen, Mary  
Bishop, Franklin  
Copeland, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Kappler, Lawrence  
McMahon, Charles  
Perkins, Amy  
Sedensky, John  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Danais, Romeo  
Elliott, Robert  
Friel, William  
Harris, Jeffrey  
Khan, Aboul  
Milz, David  
Perkins, Lawrence  
Sytek, John

Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Bianca  
Hayes, Jack  
Kolodziej, Walter  
O'Connor, John  
Priestley, Anne  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura  
Spang, Judith

Mullen, John Jr

### SULLIVAN

None

### NAYS 229

### BELKNAP

Arsenault, Beth  
Huot, David

Fields, Dennis  
Raymond, Ian

Gulick, Ruth  
Sylvia, Michael

Holmes, Stephen

### CARROLL

Buco, Thomas

Butler, Edward

Lavender, Tom

White, Syndi

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

### COOS

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Gionet, Edmond  
Nordgren, Sharon  
White, Andrew

Almy, Susan  
Harding, Laurie  
Pastor, Beatriz

Benn, Bernard  
Higgins, Patricia  
Sykes, George

Friedrich, Carol  
Mulholland, Catherine  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald  
Chandley, Shannon  
Danielson, David  
Garcia, Michael  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
LeVasseur, Richard  
McCloskey, David  
Murphy, Keith  
O'Flaherty, Tim  
Pratt, Calvin  
Schmidt, Janice  
Soucy, Timothy  
Sullivan, Peter  
Walsh, Robert Jr

Barry, Richard  
Brown, Pamela  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Infantine, William  
Kopka, Angeline  
Levesque, Melanie  
McNamara, Richard  
Nelson, Mary  
O'Neil, William  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Takesian, Charlene  
Williams, Kermit

Beaulieu, Jane  
Campbell, David  
Cote, David  
Gage, Ruth  
Gidge, Kenneth  
Hackel, Paul  
Hansen, Peter  
Jack, Martin  
Leishman, Peter  
Long, Patrick  
Meaney, Richard  
O'Brien, Michael Sr  
Ober, Russell III  
Rosenwald, Cindy  
Shaw, Barbara  
Stroud, Kathleen  
Vail, Suzanne  
Winters, Joel

Belanger, James  
Carroll, Douglas  
Daniels, Gary  
Gale, Sylvia  
Goley, Jeffrey  
Haefner, Robert  
Harriott-Gathright, Linda  
Judy, Jean  
Levasseur, Nickolas  
MacKay, Mariellen  
Murotake, David  
O'Brien, William  
Porter, Marjorie  
Sandblade, Emily  
Smith, Timothy  
Sullivan, Daniel  
Vaillancourt, Steve  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
McGuire, Dan  
Reed, Dennis  
Schamberg, Thomas  
Tilton, Joy  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Wallner, Mary Jane

Burns, Scott  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
McGuire, Carol  
Ratzki, Mario  
Rogers, Katherine  
Smith, Todd  
Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Garcia, Marilinda  
Lovejoy, Patricia  
Muns, Chris  
Peckham, Michele  
Schlachman, Donna  
Sweeney, Joe  
Whittemore, Lisa

Borden, David  
Cushing, Robert Jr  
Helmstetter, Barbara  
Major, Norman  
Nigrello, Robert  
Rice, Frederick  
Schroadter, Adam  
Till, Mary

Briden, Steven  
Devine, James  
Hodgdon, Bruce  
Mann, Maureen  
Oigny, Jeffrey  
Sapareto, Frank  
Sherman, Thomas  
Ward, Gerald

Burtis, Elizabeth  
Flockhart, Eileen  
Introne, Robert  
Moody, Marcia  
Pantelakos, Laura  
Scarlottio, Joe  
St. James, Kevin  
Wazlaw, Brian

**STRAFFORD**

Baber, William  
Burdwood, Greg  
Grassie, Anne  
Horriggan, Timothy  
Miller, David  
Rollo, Deanna  
Wall, Janet

Berube, Roger  
Burke, Rachel  
Gray, James  
Hubbard, Pamela  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Bickford, David  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Verschueren, James



**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Lefebvre, Benjamin	O'Hearne, Andrew	Rollins, Skip
Schmidt, Andrew	Smith, Steven	Sweeney, Cynthia	Tanner, Linda

and floor amendment (1199h) failed.  
Rep. Moffett declared a conflict of interest and did not participate.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Reps. Hikel, Dan McGuire and Kurk spoke against.  
Rep. Wallner spoke in favor.  
Rep. Daniel Eaton requested a roll call; sufficiently seconded.

**YEAS 193 NAYS 166****YEAS 193****BELKNAP**

Arsenault, Beth	DiMartino, Lisa	Gulick, Ruth	Huot, David
Raymond, Ian			

**CARROLL**

Buco, Thomas	Butler, Edward	Lavender, Tom	Ticehurst, Susan
White, Syndi			

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Weber, Lucy	Weed, Charles	Young, Harry

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne	

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Harding, Laurie
Higgins, Patricia	Lauer, Linda	Lovett, Sid	Massimilla, Linda
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Boisvert, Ronald	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Dobson, Jeremy	Gage, Ruth
Gale, Sylvia	Goley, Jeffrey	Gorman, Mary	Grady, Brenda
Hackel, Paul	Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda
Heden, Ruth	Jack, Martin	Jeady, Jean	Knowles, Mary Ann
Kopka, Angeline	Leishman, Peter	Levesque, Melanie	Long, Patrick
MacKay, Mariellen	Manley, Jonathan Sr	McCloskey, David	McNamara, Richard
Nelson, Mary	O'Brien, Michael Sr	O'Neil, William	Porter, Marjorie
Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice
Shattuck, Gilman	Smith, Timothy	Soucy, Timothy	Spratt, Stephen
Sullivan, Daniel	Sullivan, Peter	Vail, Suzanne	Walsh, Robert Jr
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank

Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walz, Mary Beth

Frambach, Mary  
 Henle, Paul  
 Kelly, Sally  
 Patten, Dick  
 Rogers, Katherine  
 Tilton, Joy  
 Watrous, Rick

Frazer, June  
 Hirsch, Geoffrey  
 MacKay, James  
 Ratzki, Mario  
 Schamberg, Thomas  
 Turcotte, Alan  
 Webb, Leigh

French, Barbara  
 Hunt, Jane  
 Moffett, Howard  
 Rice, Chip  
 Schuett, Dianne  
 Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
 Cahill, Michael  
 Helmstetter, Barbara  
 Muns, Chris  
 Sherman, Thomas  
 Whittemore, Lisa

Borden, David  
 Cushing, Robert Jr  
 Lovejoy, Patricia  
 Pantelakos, Laura  
 Till, Mary

Briden, Steven  
 Emerson-Brown, Rebecca  
 Mann, Maureen  
 Scarlotto, Joe  
 Ward, Gerald

Burtis, Elizabeth  
 Flockhart, Eileen  
 Moody, Marcia  
 Schlachman, Donna  
 Wazlaw, Brian

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Kaen, Naida  
 Perry, Robert  
 Spang, Judith  
 Ward, Kenneth

Berube, Roger  
 Gardner, Janice  
 Hooper, Dorothea  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Stevens, Audrey

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Miller, David  
 Rollo, Deanna  
 Verschueren, James

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Pelletier, Marsha  
 Schmidt, Peter  
 Wall, Janet

### SULLIVAN

Cloutier, John  
 Lefebvre, Benjamin  
 Tanner, Linda

Gagnon, Raymond  
 O'Hearne, Andrew

Gottling, Suzanne  
 Schmidt, Andrew

Irwin, Virginia  
 Sweeney, Cynthia

### NAYS 166

### BELKNAP

Burchell, Richard  
 Fink, Charles  
 Luther, Robert  
 Worsman, Colette

Comtois, Guy  
 Flanders, Donald  
 Sylvia, Michael

Cormier, Jane  
 Greemore, Robert Jr  
 Tilton, Franklin

Fields, Dennis  
 Holmes, Stephen  
 Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
 McConkey, Mark  
 Umberger, Karen

Chandler, Gene  
 Merrow, Harry  
 Wright, Donald

Cordelli, Glenn  
 Nelson, Bill

Crawford, Karel  
 Schmidt, Stephen

### CHESHIRE

Emerson, Susan

Johnson, Jane

Roberts, Kris

### COOS

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
 Ladd, Rick Jr

Bradley, Lester  
 Shackett, Jeffrey

Doolan, Ralph Jr

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
 Byron, Frank  
 Daniels, Gary  
 Garcia, Michael

Belanger, James  
 Cebrowski, John  
 Danielson, David  
 Gargaszy, Carolyn

Boehm, Ralph  
 Coffey, James  
 Flanagan, Jack  
 Graham, John

Burt, John  
 Culbert, Patrick  
 Gagne, Larry  
 Haefner, Robert

Hansen, Peter  
 Infantine, William  
 LeBrun, Donald  
 Martel, Andre  
 Murphy, Keith  
 O'Flaherty, Tim  
 Pellegrino, Tony  
 Rowe, Robert  
 Straight, Philip  
 Vaillancourt, Steve

Hikel, John  
 Jasper, Shawn  
 Levasseur, Nickolas  
 McCarthy, Michael  
 Murphy, Kelleigh  
 Ober, Lynne  
 Peterson, Lenette  
 Sandblade, Emily  
 Stroud, Kathleen  
 Villeneuve, Moe

Hinch, Richard  
 Kurk, Neal  
 LeVasseur, Richard  
 Meaney, Richard  
 Notter, Jeanine  
 Palmer, Stephen  
 Pratt, Calvin  
 Shaw, Barbara  
 Takesian, Charlene  
 Willette, Robert

Hopper, Gary  
 Lambert, George  
 Marston, Dick  
 Murotake, David  
 O'Brien, William  
 Parison, James  
 Renzullo, Andrew  
 Souza, Kathleen  
 Ulery, Jordan  
 Winters, Joel

### MERRIMACK

Hess, David  
 Lockwood, Priscilla  
 Smith, Todd

Hoell, J.R.  
 McGuire, Carol  
 Walsh, Thomas IV

Kidder, David  
 McGuire, Dan

Kotowski, Frank  
 Reed, Dennis

### ROCKINGHAM

Abrami, Patrick  
 Birdsell, Regina  
 Comerford, Timothy  
 Devine, James  
 Emerick, J. Tracy  
 Garcia, Marilinda  
 Hayes, Jack  
 Itse, Daniel  
 Major, Norman  
 Nigrello, Robert  
 Peckham, Michele  
 Rice, Frederick  
 Sedensky, John  
 Waterhouse, Kevin

Allen, Mary  
 Bishop, Franklin  
 Copeland, Timothy  
 Duarte, Joe  
 Fesh, Robert  
 Gordon, Richard  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 McKinney, Betsy  
 O'Connor, John  
 Perkins, Amy  
 Sanders, Elisabeth  
 St.James, Kevin  
 Webb, James Sr

Baldasaro, Alfred  
 Charron, Gene  
 Danais, Romeo  
 Dumaine, Dudley  
 Friel, William  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Khan, Aboul  
 McMahon, Charles  
 Oigny, Jeffrey  
 Perkins, Lawrence  
 Sapareto, Frank  
 Sweeney, Joe  
 Weyler, Kenneth

Bick, Patrick  
 Chirichiello, Brian  
 DeSimone, Debra  
 Elliott, Robert  
 Garcia, Bianca  
 Harris, Jeffrey  
 Introne, Robert  
 Kolodziej, Walter  
 Milz, David  
 Packard, Sherman  
 Priestley, Anne  
 Schroadter, Adam  
 Sytek, John

### STRAFFORD

Beaudoin, Steven  
 Jones, Laura

Bickford, David  
 Mullen, John Jr

Gray, James  
 Parsons, Robbie

Groen, Warren  
 Pitre, Joseph

### SULLIVAN

Grenier, James      Rollins, Skip      Smith, Steven

and the majority committee report was adopted and ordered to third reading.

### **HB 25-FN-A, making appropriations for capital improvements. OUGHT TO PASS WITH AMENDMENT.**

Rep. David B. Campbell for Public Works and Highways: The Capital Budget addresses the non-highway capital improvements, needs, repairs and investments in state-owned buildings, facilities, parks, Career Technical Centers, post-secondary public institutions, etc. As capital expenditures, these costs are bonded typically over 20 years, and less for equipment and information technology. Critical and deferred maintenance makes up a large part of this budget. The Capital Budget as amended reduces the General Fund portion as proposed by the Governor by over \$5.2 million, and provides for various matching funds, which bring in over \$51 million in new federal monies. The State's capital needs far exceed what it can afford, but importantly this budget is less than the State Treasurer's recommended maximum of \$125 million in General Fund bonds based on the State's debt ratio and affordability. The committee also reduced the amount of Highway Funds to be bonded by almost \$7 million (34%) from the bill as proposed. The biggest and most controversial item in this budget was the expenditure of \$38 million in this biennial budget for a new Women's State Prison. The committee tried to spread these costs out over two biennia, but ultimately, concluded this was impractical based on input from Administrative Services (regarding contractual issues) and the Attorney General's office (regarding a current law suit over the Women's Prison). The Committee established the site for the prison as adjacent to the existing Men's Prison in Concord. This will

result in savings by utilizing existing infrastructure, programs and staffing efficiencies. This bill also requires a great deal of legislative accountability by the Capital Budget Overview Committee. Administrative Services received additional funding under this bill for a number of prioritized deferred maintenance projects (mostly new roofs) in Executive, Legislative and Judicial buildings. This budget also completes the funding of the repair and refurbishment of the State House dome and adds a new voting system for Representatives Hall. As in the last several biennia, the committee has recommended that the House provide funds for renovation and upgrading of equipment for two regional Career and Technical Centers (CTE's). The two funded in HB25 are located in Whitefield and Salem and serve a total of 29 communities and their respective high schools' technical education programs. Environmental Services receives about 80% in matching federal funds for municipal waste water and drinking water programs. Additionally, money is appropriated for dam repair and replacement. Health and Human Services also receives a great deal of federal funds under this budget. This bill includes \$2.1 million for the construction of ten new Psychiatric Crisis Beds at the State Hospital. This bill funds the Bureau of Information Technology and continues to make computer, network and security upgrades, including additional funds for the Business One Stop Center. The Business One Stop Center is designed to make it easier for new and existing businesses to interact with the State, and help NH compete for businesses with other states by becoming a model for business access and efficiency. However, the committee reduced the funding of this project by \$2.6 million based on its' view of what could be completed in two years. The capital bonding for the Judicial Branch includes completing the funding of the E-Court initiative, saving time and travel expenses for State, County and Local officials. HB 25 funds important equipment upgrades at the Veteran's Home by receiving a 2/3 federal match of over \$1 million. In an effort to continue to maximize liquor revenues to the state this Capital Budget includes funding for three new liquor stores (in Salem, Epping and Warner) from the Liquor Enterprise Fund. The recent stores recommended by the Liquor Commission have paid themselves back well ahead of the estimates. For example, the Nashua store paid itself back in one year, and without decreasing sales in nearby stores, which still showed positive growth. The committee increased the Department of Resources and Economic Development bonds by almost \$1.5 million for state-wide State Park system critical repairs and renovations such as roof replacements, fire tower repairs, new toilets and parking lot repairs and expansions. As in prior Capital Budgets this bill continues to fund another \$1 million in Hampton Beach seawall repairs. The committee also phased and funded 40% (\$2 million) of the Department of Safety's request for radio tower and infrastructure upgrades and funded the renovations of the Marine Patrol Headquarters (the source of funds is the Navigation Safety Fund) at \$9.38 million, which is \$1.7 million less than the Governor's recommendation. Committee members felt strongly that bonding Kindergarten construction was not appropriate for the capital budget and removed it, with assurances from the Senate Finance Committee that it will be addressed in the operating budget. The Committee accepted the Governor's recommendation of \$7.5 million for the University System of New Hampshire, down from the \$35 million it received in each of the past six capital budgets. This bill also funds \$8 million (an increase of \$500,000 over the Governor's budget) for the Community College System of New Hampshire, which will in addition to their critical capital needs, allow for substantial completion of a new Auto Collision, Marine and Culinary facility in Laconia. After deferred maintenance and critical capital needs, the committee's priorities were to fund projects which have a positive payback, thereby saving taxpayer dollars, and projects which attract and promote tourism. This bill provides for hundreds of construction jobs throughout the state in all ten counties. Vote 19-0.

#### **Amendment (1150h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies, and branches named:

##### **I. Adjutant General**

A. Unspecified Minor Military Construction	\$5,500,000
Less Federal	<u>-5,500,000</u>
Net state appropriation subparagraph A	0
B. Land For Manchester Field Maintenance Shop	1,000,000
C. Statewide Readiness Center Restoration and Modernization	1,750,000
Less Federal	<u>-875,000</u>
Net state appropriation subparagraph C	875,000

D. Federal Property Conv to Readiness Cntr and Maint. Shop	1,000,000
Less Federal	<u>-750,000</u>
Net state appropriation subparagraph D	250,000
E. Manchester Field Maintenance Shop Design	2,500,000
Less Federal	<u>-2,500,000</u>
Net state appropriation subparagraph E	0
F. Columbarium Expansion	675,000
Less Federal	<u>-675,000</u>
Net state appropriation subparagraph F	0
Total state appropriation paragraph I	\$2,125,000
II. Department of Administrative Services	
A. Statewide Projects	
1. Emergency Repairs-All State Owned Facilities	\$500,000
2. Statewide Energy Efficiency Improvements	500,000
B. General Services	
1. Records and Archives-New Roof	480,000
2. DHHS HVAC Repairs	775,000
3. Morton Building Cooling Tower	217,000
4. State House Dome Repair	472,445
5. Health and Human Services Vault Upgrade	145,000
6. House of Representatives Voting System Software-LED Summary Displays	560,000
7. State House Annex – Replace Roof	450,000
8. Facilities Condition Analysis	400,000
9. Legislative Office Building Elevator Upgrade	330,000
C. Facilities and Asset Management	
1. Dolloff Domestic Water Main Replacement	260,000
2. Driveway/Parking and Walkway Paving Phase 3	790,000
3. Main Building Asbestos Abatement/Lead Paint Control	630,000
4. Main Building Window Replacement Phase 1	450,000
D. Court Facilities	
1. Coos County Courthouse-Bullnose Repairs	240,000
2. Concord District Courthouse-New Roof	245,000
3. Rockingham County Superior Court – Replace Roof	551,250
4. Rockingham County Superior Court – Replace Cooling Tower	217,000
5. Lebanon District Court – Replace Roof	<u>142,000</u>
Total state appropriation paragraph II	\$8,354,695
III. Department of Agriculture, Markets and Food	
A. New Hampshire Building-Eastern States Expo-Roof Replacement	<u>\$235,000</u>
Total state appropriation paragraph III	\$235,000
IV. Department of Corrections	
A. 224 Bed Women's Prison and Transitional Housing Facility*	\$38,000,000
B. Remove and Replace 2, 20,000 Gallon Oil Tanks and one 5,000 Gallon Diesel Tank	130,000
C. Electronic Medical Records System	<u>500,000</u>
Total state appropriation paragraph IV	\$38,630,000
* The project in subparagraph A shall utilize the construction management method of contracting. The design for the project shall be submitted no later than April 1, 2014 to the capital budget overview committee for approval and shall include sufficient acreage for possible expansion to 350 beds for future needs. The primary location for the siting of the facility shall be in Concord on state lands adjacent to the men's prison. If an alternative location is deemed necessary, the siting for the facility shall be subject to prior approval of the capital budget overview committee. The department shall report quarterly to the capital budget overview committee on the status of the project.	
V. Department of Education	
A. Renovation of CTE Center-Whitefield- State Share*	\$13,500,000
B. Renovation of CTE Center-Salem- State Share*	<u>10,775,000</u>
Total state appropriation paragraph V	\$24,275,000

\* The funds appropriated to the department of education in subparagraphs A and B for CTE centers in Whitefield and Salem shall not be spent, obligated, or encumbered until such time as an action plan has received approval from the capital budget overview committee.

VI. Department of Environmental Services

A. Dam Repairs and Reconstruction	\$3,115,000
B. Drinking Water SRF Matching Funds	3,487,988
C. Clean Water SRF Matching Funds	1,970,352
Less Other Funds*	<u>-1,970,352</u>
Net state appropriation subparagraph C	0
D. Flood Warning and Operations Improvements	<u>225,000</u>
Total state appropriation paragraph VI	\$6,827,988

\* To provide funds for the appropriation made in subparagraphs VI, C, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,970,352 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes pursuant to subparagraph VI, C shall be made from the state water pollution control and drinking water revolving loan funds established in RSA 486:14.

VII. Department of Health and Human Services

A. Glencliff Fire and ADA Code Compliance	470,000
B. APS Security and Safety Upgrades	500,000
C. Glencliff Residential Building Security	225,000
D. Glencliff Hydro Dam Repair	655,000
E. New Heights Incremental Modernization	16,843,842
Less Federal	<u>-11,959,128</u>
Net state appropriation subparagraph E	4,884,714
F. Child Support Systems Maintenance and Enhancement	5,550,000
Less Federal	<u>-3,663,000</u>
Net state appropriation subparagraph F	1,887,000
G. Food Protection Data System	280,000
Less Other Funds*	<u>-210,000</u>
Net state appropriation subparagraph G	70,000
H. Psychiatric Crisis Beds	2,150,000
I. Bridges Modernization Project	1,000,000
Less Federal	<u>-500,000</u>
Net state appropriation subparagraph I	<u>500,000</u>
Total state appropriation paragraph VII	\$11,341,714

\* To provide funds for the appropriation made in subparagraph VII, G, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$210,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes pursuant to subparagraph VII, G shall be made from the public health services special fund under RSA 143:11.

VIII. Department of Information Technology

A. Business One Stop	\$2,000,000
B. Enterprise Licensing Solution	2,295,000
C. Network Access Control	<u>560,000</u>
Total state appropriation paragraph VIII	\$4,855,000

IX. Judicial Branch

A. E-Court Initiative	\$3,500,000
B. Furnishings and Security Equipment-Cheshire County Courthouse	<u>200,000</u>
Total state appropriation paragraph IX	\$3,700,000

X. Department of Justice

A. Installation of Video Conferencing Hardware	\$62,000
B. ProLaw Upgrade	497,010
Less Other Funds*	<u>-27,187</u>
Net state appropriation subparagraph B	<u>469,823</u>
Total state appropriation paragraph X	\$531,823

\* To provide funds for the appropriation made in subparagraphs X, B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$27,187 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes pursuant to subparagraph X, B shall be made from agency income.

XI. Liquor Commission

A. New Salem Retail Store	\$5,400,000
Less Other Funds*	<u>-5,400,000</u>
Net state appropriation subparagraph A	0
B. Hampton North and South Renovations	6,380,000
Less Other Funds*	<u>-6,380,000</u>
Net state appropriation subparagraph B	0
C. New Epping Retail Store	3,850,000
Less Other Funds*	<u>-3,850,000</u>
Net state appropriation subparagraph C	0
D. New Warner Retail Store	3,500,000
Less Other Funds*	<u>-3,500,000</u>
Net state appropriation subparagraph D	0
E. Renovate Space from Retail to Office	780,000
Less Other Funds*	<u>-780,000</u>
Net state appropriation subparagraph E	0
F. Nashua Retail Store – Parking Lot	80,000
Less Other Funds*	<u>-80,000</u>
Net state appropriation subparagraph F	0
Total state appropriation paragraph XI	\$0

\* To provide funds for the appropriations made in paragraph XI, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$19,990,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the liquor commission fund established in RSA 176:16.

XII. Department of Resources and Economic Development

A. State Parks Improvements	\$1,200,000
B. Roofing and Repair-State Parks	1,255,000
C. Sherman Adams Building Entrance Replacement	375,000
D. Hampton North Beach Seawall Repair	1,000,000
Less Other Funds*	<u>-1,000,000</u>
Net state appropriation subparagraph D	0
E. Radio Systems	233,000
F. Fire Tower Repairs	360,000
G. Memorial, 400th Anniversary- Rye Harbor State Park**	<u>40,000</u>
Total state appropriation paragraph XII	\$3,463,000

\* To provide funds for the appropriations made in subparagraph D, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the special fund and the Hampton Beach capital improvements fund under RSA 216:3.

\*\* The state appropriation in subparagraph G shall be a state match against private funds raised, up to \$40,000, for the purpose of constructing the memorial commemorating the 400th anniversary of the discovery of the Isles of Shoals by John Smith at Ragged Neck in Rye Harbor State Park.

XIII. Department of Safety

A. Radio Interoperability Infrastructure	
Upgrade – General Fund Portion	\$300,000
Total state appropriation paragraph XIII	\$300,000

XIV. Secretary of State

A. Shelving Replacement and Fire Suppression	\$675,000
Total state appropriation paragraph XIV	\$675,000

## XV. Department of Transportation

## A. Aeronautics, Rail and Transit

1. 5 percent Match for Federal Aviation Admin Projects	\$24,972,073
Less Federal	<u>-23,307,397</u>
Net state appropriation subparagraph 1	1,664,676
2. Public Transit Bus and Facility Matching Funds	545,000
3. Freight Rail – State Matching Funds	<u>600,000</u>
Total state appropriation paragraph XV	\$2,809,676

## XVI. Veterans Home

## A. Equipment Upgrades

Less Federal	<u>-1,072,500</u>
Net state appropriation subparagraph A	<u>577,500</u>
Total state appropriation paragraph XVI	\$577,500

## XVII. Community College System of New Hampshire

## A. Lump Sum for Capital Projects

Less Other Funds *	<u>-5,000,000</u>
Net state appropriation subparagraph A	<u>8,000,000</u>
Totals for paragraph XVII	<u>\$8,000,000</u>
Total state appropriation section 1	\$116,701,396

\* To provide funds for the appropriations made in subparagraph XVII, A the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$5,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from student fees.

2 Capital Appropriation; Highway Funds. The sums hereinafter detailed are appropriated for the projects specified:

## I. Department of Safety

## A. Radio Interoperability Infrastructure

Upgrade – Highway Fund Portion	\$1,700,000
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## B. Fire Academy Bldg Upgrades and Critical Maintenance

Less Other Funds*	<u>-375,000</u>
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Net state appropriation subparagraph B	0
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## C. Land Acquisition and Improvement

Less Other Funds**	<u>-1,000,000</u>
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Net state appropriation subparagraph D	0
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## D. NH Marine Patrol Headquarters

Less Other Funds**	<u>-9,379,313</u>
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Net state appropriation subparagraph D	0
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Total state appropriation paragraph I	\$1,700,000
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\* To provide funds for the appropriation made in subparagraph I, B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$375,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes pursuant to subparagraph I, B shall be made from the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.

\*\* To provide funds for the appropriations made in subparagraphs I, C and D, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$10,379,313 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes pursuant to subparagraphs I, C and D shall be made from the navigation safety fund established under RSA 270-E:6-a.

## II. Department of Transportation

## A. Underground Fuel Tank Replacement-Statewide

B. Project Development Computer Systems Replacement	3,260,000
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C. JOMB Data Center HVAC and UPS Replacement	510,000
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D. Welcome Information Center Critical and Deferred Maintenance	967,500
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E. New Patrol Shed PS528 Derry, Design, Engineering, and Construction	3,180,000
F. New Patrol Shed PS602 Strafford, Design	<u>160,000</u>
Total state appropriation paragraph II	<u>\$11,577,500</u>
Total state appropriation section 2	<u>\$13,277,500</u>

3 Capital Appropriation; University System of New Hampshire. The sums hereinafter detailed are appropriated for the projects specified:

A. Lump Sum for Capital Projects	<u>\$7,500,000</u>
Total state appropriation section 3	<u>\$7,500,000</u>

4 Expenditures; General. The appropriation made for the purposes mentioned in sections 1 and 2 of this act and the sums available for those projects shall be expended by the trustees, commissions, commissioner, or department head of the institutions and departments referred to herein; provided that all contracts and projects and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 21-I and RSA 228.

5 Expenditures; University System of New Hampshire.

I. The appropriations made for the purposes mentioned in section 3 of this act and the sums available for these projects shall be expended by the trustees of the university system of New Hampshire. All contracts for the construction of all or any part of said buildings or facilities shall be let only after competitive sealed bids have been received and only after an advertisement calling for such bids has been published at least once in each 2 successive calendar weeks in a newspaper of general circulation in New Hampshire or in a trade journal known to be circulated among the contractors from whom bids will be sought with the state of New Hampshire or elsewhere in the area. The first publication of such advertisement shall be not less than 30 days prior to the date the bids will be received. All conditions considered, wherever possible, it is recommended that the services of New Hampshire architectural and construction firms be considered within the discretion of the trustees.

II. The appropriations made in section 3 of this act are available for all costs incidental to the completion of the projects enumerated including the costs of the services of architects, engineers, and other consultants of such kind and capacity as the university system board of trustees, in its discretion, may wish to employ on such terms and conditions as the board determines. These moneys shall be spent under the direction of the university system board of trustees.

III. If, in the judgment of the trustees of the university system, just cause exists indicating the lowest bid should be rejected, then the contract may be awarded to the next lowest bidder; or, if the next lowest bid should be rejected, the contract may be awarded to the third lowest bidder.

IV. The board of trustees of the university system has the right to reject any and all bids and, if the lowest bid is in excess of the appropriation, the board has the right to negotiate with the low bidder or with the 3 lowest bidders for a contract for the construction upon terms considered most advantageous to the university. If only one bid is received, the board of trustees may negotiate a contract for the construction on terms considered most advantageous to the university system and to the state. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of the federal law and regulations.

V. Notwithstanding paragraphs I, III, and IV, the sums appropriated by section 3 of this act for all or any of the projects listed in section 3 of this act, may be expended and awarded by the trustees of the university system; provided that all contracts for all or any part of the building or facilities shall follow construction management procurement procedures and guidelines. If the trustees select construction management pursuant to this paragraph, paragraphs I, III, and IV shall not apply and the trustees shall retain the right to reject or negotiate following accepted construction management practices.

6 Land Acquisition. Any land acquired under the appropriations made in sections 1 and 2 of this act, if any, as may be acquired under the appropriation except such land if any as may be acquired for the water resources board, shall be purchased by the commissioner of the department of transportation or the commissioner of administrative services, as appropriate, with the approval of governor and council.

7 Bond Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, and 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$176,430,748 and for said purposes may issue bonds and

notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The source of funds shall be as follows: general fund \$124,201,396, highway funds \$13,277,500, and other funds \$38,951,852.

8 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in sections 1 and 3 shall be made when due from the general funds in the state.

II. The payment of principal and interest on bonds issued for the projects in section 2 shall be made from the highway fund.

9 Powers of Governor and Council. The governor and council are hereby authorized and empowered:

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

II. To accept any federal funds which are, or become available for any project under sections 1 and 2 of this act beyond the estimated amounts. The net appropriation of state funds for any project for which such additional federal funds are accepted shall be reduced by the amount of such additional funds, and the amount of bonding authorized by section 7 of this act shall be reduced by the same amount.

10 Transfers. The individual project appropriations provided in sections 1 and 2 of this act shall not be transferred or expended for any other purposes; provided that if there is a balance remaining after an individual project, which is fully funded by state funds, is completed, accepted, and final payment made, said balance or any part thereof may be transferred by Governor and Council, to any other individual project or projects, which are also fully funded by state funds, within the same section and from the same funding source, provided that prior approval of the capital budget overview committee is obtained.

11 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1 and 2 of this act is determined on the basis of an estimate of anticipated federal, local, or other funds, and if the amount of such funds actually received or available is less than said estimate, then the total authorized cost for such projects and the net appropriation of state funds thereof shall be reduced by the same proportion as the proportion by which federal, local, or other funds are reduced. The amount of bonding authorized by section 7 of this act shall be reduced by the amount that the appropriation of state funds is reduced pursuant to this section.

12 Bureau of Public Works Design and Construction Inspection Services; Davis-Bacon Act Compliance. The appropriations for those projects which are managed by the bureau of public works design and construction, department of administrative services, may be expended to fund temporary personnel for the purpose of providing construction inspection services and Davis-Bacon Act Compliance services for projects utilizing federal funds, for those projects included in this act.

13 Project Purpose Amended; Adjutant General; 2009 Capital Budget. Amend 2009, 145:1, I, B to read as follows:

B. D&E Storage Buildings- Additional Power & Lighting; <i>Power and Lighting Improvements – Statewide</i>	282,000
Less Federal	<u>-141,000</u>
Net state appropriation subparagraph B	141,000

14 Project Purpose Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:1, II, C, 3 to read as follows:

3. Main Building *Kitchen, Bakery [Roof Repair], Connector, and Industrial Shop - Raze Buildings and Create Parking Lot*

210,000

15 Project Purpose Amended; Administrative Services; 2011 Capital Budget. Amend 2011, 253:1, II, B, 4 to read as follows:

4. Main Building *Kitchen [Roof Repair], Bakery, Connector, and Industrial Shop - Raze Buildings and Create Parking Lot*

500,000

16 Project Purpose Amended, Department of Safety, 2011 Capital Budget. Amend 2011, 253:2, II, A to read as follows:

A. Standby Generator Replacement Hayes Bldg (33 Hazen Dr.),

*Computer Room A/C Upgrade, and DMV HQ Generator*

\$775,000

17 Project Purpose Amended; Administrative Services; 2011 Capital Budget. Amend 2011, 253:1, II, B, 2 to read as follows:

## 2. Lakes Region Facility Campus Site Environmental

Survey II, **and DOIT Productivity Suite Desktop Security \*** 300,000

18 Project Purpose Amended; Administrative Services; Former Corrections Project; 2009 Capital Budget. Amend 2009, 145:1, IV, F, as amended by 2011, 253:14, to read as follows:

F. Stormwater/Sewer System-EPA order #05-13, **and**

**DOIT Productivity Suite Desktop Security** 575,000

19 Project Purpose Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:15, II(b) to read as follows:

(b) Northern Carroll County New Roof, **and DOIT Productivity Suite Desktop Security**

\$130,000

20 Project Purpose Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:1, II, B, 1 through 5 to read as follows:

1. Johnson Hall Renovations/Repairs, **and DOIT Productivity**

**Suite Desktop Security** 53,000

2. LOB Critical Maintenance, **and DOIT Productivity**

**Suite Desktop Security** 2,900,000

## 3. DHHS Replace Chillers, Tower Repairs

780,000

4. Johnson Hall New Roof, **and DOIT Productivity**

**Suite Desktop Security** 198,000

5. State Library-Repoint Brick, Internal Repairs, **and**

**DOIT Productivity Suite Desktop Security** 1,345,000

21 Project Purposes Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:16, II, (a) through (d) to read as follows:

(a) Supreme Court Parking Lot, **and DOIT Productivity**

**Suite Desktop Security** 394,295

(b) Supreme Court ADA Access, **and DOIT Productivity**

**Suite Desktop Security** 275,000

## (c) Morton Building New Roof

650,000

(d) State House Ice Stop System, **and DOIT Productivity**

**Suite Desktop Security** 80,000

22 Project Purpose Amended; Administrative Services; 2009 Capital Budget. Amend 2009, 145:1, II, C, 1 to read as follows:

1. Bow Brook Pond Dredging & Dam Stoplog, **and**

**DOIT Productivity Suite Desktop Security** 1,100,000

23 Project Purpose Amended; Department of Corrections; 2009 Capital Budget. Amend 2009, 145:1, IV, C to E to read as follows:

C. Residential Treatment Unit Phase 2, **and DOIT Productivity**

**Suite Desktop Security** 3,650,000

## D. Admin East Wing-Upgrade Electric Wiring

79,000

E. MSU & Admin Bldg-Replace Sprinkler System, **and**

**DOIT Productivity Suite Desktop Security** 390,000

24 Unencumbered Balances Transferred; Department of Information Technology; Productivity Suite Desktop Security Project Authorized.

I. The sum of \$3,000,000 from the unencumbered balances of the projects amended by sections 17 through 23 of this act are hereby transferred to the department of information technology for the purpose of funding the capital project of productivity suite desktop security.

II. All contracts and projects and plans and specifications therefor for the project authorized in this section shall be awarded in accordance with the provisions of RSA 21-I.

III. The appropriations in sections 17 through 23 of this act as amended and transferred in this section are hereby extended and shall not lapse until June 30, 2015.

25 Commission Established; Construction of 400th Anniversary Memorial at Ragged Neck in Rye Harbor State Park.

I. There is hereby established a commission to oversee the design, siting, and construction of a memorial commemorating the 400th anniversary of the discovery of the Isles of Shoals by John Smith at Ragged Neck in Rye Harbor State Park, using the funds appropriated in section 1, paragraph XII, G of this act.

II. The members of the commission shall be as follows:

- (a) Two members of the house of representatives, one from each major political party, appointed by the speaker of the house of representatives.
- (b) Two members of the senate, one from each major political party appointed by the president of the senate.
- (c) The commissioner of the department of resources and economic development, or designee.
- (d) The commissioner of the department of cultural resources, or designee.
- (e) One person appointed by the governor.

III. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

IV. The commission shall advise the department of resources and economic development, division of parks and recreation, on the design, siting, and construction of a monument at Ragged Neck in Rye Harbor State Park commemorating the 400th anniversary of the discovery of the Isles of Shoals by John Smith. The commission shall approve the design and location of the memorial prior to construction. The commission shall also monitor the raising of private funds required for the state match to expend the state capital appropriation for the construction of the memorial.

V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum. The commission shall meet as necessary until completion of the project.

26 Lapse Dates Extended to June 30, 2015. The following appropriations are hereby extended to June 30, 2015:

1. The appropriation made to the adjutant general in 2011, 253:1, I, A for statewide facilities improvements.

2. The appropriation made to the adjutant general in 2011, 253:1, I, B for readiness center restoration and modernization.

3. The appropriation made to the adjutant general in 2009, 145:1, I, B extended by 2011, 253:28, 2, and amended by section 13 of this act, for D and E storage buildings, additional power and lighting; power and lighting improvements – statewide.

4. The appropriation made to the adjutant general in 2007, 264:1, I, B extended by 2009, 145:19, 5 extended by 2011, 253:28, 9 for armory-statewide auxiliary power.

5. The appropriation made to the adjutant general in 2007, 264:1, I, F extended by 2009, 145:19, 9 extended by 2011, 253:28, 11 for regional training institute construction.

6. The appropriation made to the department of administrative services in 2011, 253:1, II, A, 1 for Rockingham county reseal/drainage.

7. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 1 for Hugh Gallen OPS-FACP replacement.

8. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 3 for driveway/parking and walkway paving phase 2.

9. The appropriation made to the department of administrative services 2011, 253:1, II, B, 4, as amended by section 15 of this act, for main building kitchen, bakery, connector, and industrial shop - raze buildings and create parking lot.

10. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 5 for lakes region facility roof repair.

11. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 6 for Hugh Gallen OPS main building ADA restrooms.

12. The appropriation made to the department of administrative services in 2011, 253:1, II, B, 7 for Philbrook Center renovation.

13. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 1 for critical IT infrastructure.

14. The appropriation made to the department of administrative services in 2011, 253:1, II, C, 2 for ERP phase 2 HR and payroll systems.

15. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 1 for emergency repairs-all facilities.

16. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 2 for statewide energy efficiency improvements.

17. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 5 for state house dome renovation and repair.

18. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 6 for DHHS window repairs.

19. The appropriation made to the department of administrative services in 2011, 253:1, II, D, 7 for state house annex windows.

20. The appropriation made to the department of administrative services in 2011, 253:2, I, A for ERP phase II-highway funds.

21. The appropriation made to the department of administrative services in 2009, 145:1, II, A, 1 extended by 2011, 253: 28, 12 for Hillsborough county north asbestos abatement.

22. The appropriation made to the department of administrative services in 2009, 145:1, II, A, 2 extended by 2011, 253:28, 13 for master plan for the courts.

23. The appropriation made to the department of administrative services 2009, 145:1, II, C, 3, as extended by 2011, 253:28, 21, as amended by section 14 of this act, for main building bakery, kitchen, connector, and industrial shop - raze buildings and create parking lot.

24. The appropriation made to the department of administrative services in 2009, 145:1, II, C, 4 extended by 2011, 253:28, 22 for Hugh Gallen office park parking.

25. The appropriation made to the department of administrative services in 2009, 145:1, II, E, 1 extended by 2011, 253:28, 24 for state owned facilities energy and lighting improvements.

26. The appropriation made to the department of administrative services in 2009, 145:1, II, E, 3 extended by 2011, 253:28, 25 for ERP information technology phase II.

27. The appropriation made to the department of administrative services in 2005, 259:1, II, A, 2 amended by 2007, 264:14 extended by 2007, 264:29, IX extended by 2009, 145:19, 12 extended by 2011, 253:28, 30 for Cheshire and Merrimack county courthouse design, Keene district court design and renovate temporary space.

28. The appropriation made to the department of administrative services in 2003, 240:1, II, C, 2 extended by 2005, 259:25, XVI extended by 2007, 264:29, XIX extended by 2009, 145:19, 13 extended by 2011, 253:28, 31 for enterprise resource planning.

29. The appropriation made to the community college system in 2011, 253:1, XVI, A for Manchester community college student center.

30. The appropriation made to the community college system in 2011, 253:1, XVI, B for career/tech building.

31. The appropriation made to the community college system in 2009, 145:1, III, A extended by 2011, 253:28, 34 for critical maintenance.

32. The appropriation made to the community college system in 2009, 145:1, III, E extended by 2011, 253:28, 35 for health science and tech building, Nashua.

33. The appropriation made to the department of corrections in 2009, 145:1, IV, A extended by 2011, 253:28, 36 for women's prison and transitional housing site/design.

34. The appropriation made to the department of corrections in 2009, 145:1, IV, B extended by 2011, 253:28, 37 for MSU dorms, CCU, SPU, MCS, MCN bathroom repair.

35. The appropriation made to the department of corrections in 2009, 145:1, IV, D extended by 2011, 253:28, 39 for admin east wing-upgrade electric wiring.

36. The appropriation made to the department of corrections in 2007, 264:1, V, A extended by 2009, 145:19, 23 extended by 2011, 253:28, 43 for electronic security upgrades-men's prison.

37. The appropriation made to the department of education in 2011, 253:1, IV, A for pre-engineering tech career pathway.

38. The appropriation made to the department of education in 2011, 253:1, IV, B for CTE center renovation-Pinkerton.

39. The appropriation made to the department of education in 2011, 253:1, IV, C for CTE center renovation-Laconia.

40. The appropriation made to the department of education in 2009, 145:1, V, A extended by 2011, 253:28, 46 for pre-engineering technology.

41. The appropriation made to the department of employment security in 2011, 253:1, V, A for Tobey building renovation and garage construction.

42. The appropriation made to the department of environmental services in 2011, 253:1, VI, A for clean water state revolving fund loan program.

43. The appropriation made to the department of environmental services in 2011, 253:1, VI, B for drinking water state revolving fund state match.
44. The appropriation made to the department of environmental services in 2011, 253:1, VI, C for dam repairs and reconstruction.
45. The appropriation made to the department of environmental services in 2011, 253:1, VI, D for Great Bay oil spill protection strategy.
46. The appropriation made to the department of environmental services in 2011, 253:1, VI, E for WRBP infrastructure capital improvements.
47. The appropriation made to the department of environmental services in 2011, 253:1, VI, F for Suncook river infrastructure protection project.
48. The appropriation made to the department of environmental services in 2009, 145:1, VI, A extended by 2011, 253:28, 50 for WRBP wastewater treatment plant improvements.
49. The appropriation made to the department of environmental services in 2009, 145:1, VI, B extended by 2011, 253:28, 51 for drinking water state revolving fund matching funds.
50. The appropriation made to the department of environmental services in 2007, 264:1, VII, A extended by 2009, 145:19, 38 extended by 2011, 253:28, 58 for drinking water state revolving fund matching funds.
51. The appropriation made to the department of environmental services in 2007, 264:1, VII, B extended by 2009, 145:19, 39 extended by 2011, 253:28, 59 for wastewater state revolving fund matching funds.
52. The appropriation made to the department of environmental services in 2007, 264:1, VII, F, as extended by 2009, 145:19, 43, and 2011, 253:28, 61 for dam repairs, removal and reconstruction.
53. The appropriation made to the department of environmental services in 2003, 240:1, V, A extended by 2005, 259:25, XXVIII extended by 2007, 264:29, XXXV extended by 2009, 145:19, 31 extended by 2011, 253:28, 53 for hazardous waste superfund match.
54. The appropriation made to the department of fish and game in 2011, 253:1, XVII, A for Jones pond dam repair and reconstruction.
55. The appropriation made to the department of fish and game in 2009, 145:3, III extended by 2011, 253:28, 63 for point of service registration.
56. The appropriation made to the department of fish and game in 2005, 259:3, II extended by 2007, 264:29, XLVI extended by 2009, 145:19, 45 extended by 2011, 253:28, 64 for hatchery system modernization.
57. The appropriation made to the department of health and human services in 2011, 253:1, VII, A for fire protection sprinklers.
58. The appropriation made to the department of health and human services in 2011, 253:1, VII, B for admin building fire safety/ADA compliance.
59. The appropriation made to the department of health and human services in 2011, 253:1, VII, D for APS repair/renovations-roof, windows and curtain wall.
60. The appropriation made to the department of health and human services in 2011, 253:1, VII, E for boiler house building-new roof.
61. The appropriation made to the department of health and human services in 2011, 253:1, VII, G for incremental renewal of New Heights.
62. The appropriation made to the department of health and human services in 2011, 253:1, VII, H for electronic health records.
63. The appropriation made to the department of health and human services in 2011, 253:1, VII, I for regional assessments database II.
64. The appropriation made to the department of health and human services in 2011, 253:1, VII, J for video conferencing-administrative appeals unit.
65. The appropriation made to the department of health and human services in 2011, 253:1, VII, L for replatform option application.
66. The appropriation made to the department of health and human services in 2011, 253:1, VII, M for admin building handicap access and elevator.
67. The appropriation made to the department of health and human services in 2011, 253:1, VII, N for DPHS radiochemistry lab improvements.
68. The appropriation made to the department of health and human services in 2011, 253:1, VII, P for Howard rec. building renovations, roof and brickwork.

69. The appropriation made to the department of health and human services in 2011, 253:1, VII, Q for ACCESS front door release II.
70. The appropriation made to the department of health and human services in 2009, 145:1, VII, B extended by 2011, 253:28, 65 for incremental renewal of HEIGHTS phase II.
71. The appropriation made to the department of health and human services in 2009, 145:17, IV, C extended by 2011, 253:28, 67 for strategic plan for legacy systems, 50-50 federal match.
72. The appropriation made to the department of health and human services in 2007, 264:1, IX, C, as amended by 2009, 145:18, as extended by 2009, 145:19, 50, and 2011, 253:28, 69 for Glenclyff-Brown building patient room floor abatement, tunnel repair, admin building roof replacement.
73. The appropriation made to the department of information technology in 2011, 253:1, VIII, B for network operations infrastructure upgrade and VOIP.
74. The appropriation made to the department of information technology in 2011, 253:1, VIII, C for business one stop center.
75. The appropriation made to the judicial branch in 2011, 253:1, IX, A for prisoner video conference.
76. The appropriation made to the judicial branch in 2011, 253:1, IX, B for call center.
77. The appropriation made to the judicial branch in 2011, 253:1, IX, C for e-court initiative.
78. The appropriation made to the liquor commission in 2011, 253:1, X, A for Hooksett north and south store additions.
79. The appropriation made to the liquor commission in 2011, 253:1, X, C for Chesterfield-new store.
80. The appropriation made to the Pease development authority in 2007, 264:1, XII, B as amended by 2008, 5:1 extended by 2009, 145:19, 54 extended by 2011, 253:28, 74 for Rye harbor commercial fish pier.
81. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, A for fire tower maintenance.
82. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, B for state park repairs.
83. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, C for Mt. Washington-Adams building concrete repair.
84. The appropriation made to the department of resources and economic development in 2011, 253:1, XII, F for Cannon Mtn upgrades-snowmaking.
85. The appropriation made to the department of resources and economic development in 2009, 145:1, X, C extended by 2011, 253:28, 77 for Mittersill expansion.
86. The appropriation made to the department of resources and economic development in 2009, 145:1, X, B, as extended by 2011, 253:28, 76 for Mount Washington tip top house repairs.
87. The appropriation made to the department of revenue administration in 2009, 145:1, XI, A extended by 2011, 253:28, 82 for tax system 2010.
88. The appropriation made to the department of safety in 2011, 253:1, XIII, A for e-911 next generation.
89. The appropriation made to the department of safety in 2011, 253:1, XIII, B for Suncook river property acquisition and hazard mitigation.
90. The appropriation made to the department of safety in 2011, 253:2, II, A, as amended by section 16 of this act for Hayes building standby generator replacement, computer room A/C upgrade, and DMV HQ generator.
91. The appropriation made to the department of safety in 2009, 145:2, I, A extended by 2011, 253:28, 83 for DMV VISION project continuation.
92. The appropriation made to the department of safety in 2007, 264:2, I, D extended by 2009, 145:19, 63 extended by 2011, 253:28, 87 for OIT projects for DMV.
93. The appropriation made to the department of transportation in 2011, 253:1, XIV, A for 2.5 percent match for FAA projects.
94. The appropriation made to the department of transportation in 2011, 253:1, XIV, B for bus replacement-transit match.
95. The appropriation made to the department of transportation in 2011, 253:2, III, A for underground fuel tank replacement.
96. The appropriation made to the department of transportation in 2011, 253:2, III, B for statewide radio communication replacement.

97. The appropriation made to the department of transportation in 2011, 253:2, III, C for statewide salt sheds.

98. The appropriation made to the department of transportation in 2011, 253:2, III, D for new patrol shed and salt storage-Salem.

99. The appropriation made to the department of transportation in 2011, 253:2, III, E for data center TMC equipment room upgrade.

100. The appropriation made to the department of transportation in 2009, 145:1, XII, A extended by 2011, 253:28, 88 for FAA projects.

101. The appropriation made to the department of transportation in 2009, 145:1, XII, B extended by 2011, 253:28, 89 for public transit bus matching funds.

102. The appropriation made to the department of transportation in 2009, 145:1, XII, C extended by 2011, 253:28, 90 for airport navigation equipment.

103. The appropriation made to the department of transportation in 2009, 145:1, XII, E extended by 2011, 253:28, 92 for state owned rail bridge repair.

104. The appropriation made to the department of transportation in 2009, 145:2, II, C extended by 2011, 253:28, 94 for replacement of automated fueling system-phase 2.

105. The appropriation made to the department of transportation in 2007, 264:1, XIV, A extended by 2009, 145:19, 65 extended by 2011, 253:28, 99 for 5-10 percent match for FAA projects.

106. The appropriation made to the department of transportation in 2007, 264:1, XIV, C extended by 2009, 145:19, 67 amended by 2011, 253:16 extended by 2011, 253:28, 100 for rail match.

107. The appropriation made to the department of transportation in 2007, 264:2, II, E extended by 2009, 145:19, 74 extended by 2011, 253:28, 102 for fuel center computer system.

108. The appropriation made to the department of transportation in 2007, 264:1, XIV, B extended by 2009, 145:19, 66 extended by 2011, 253:28, 103 for public transit bus replacement.

109. The appropriation made to the department of transportation in 2005, 259:1, XIII, F amended by 2007, 264:20, extended by 2007, 264:29 extended by 2009, 145:19, 81 extended by 2011, 253:28, 104 for railroad acquisition right of first refusal rail match.

110. The appropriation made to the department of transportation in 1999, 226:1, XIII, C, extended by 2001, 202:28, XXXIII extended by 2003, 240:34, LXXVI extended by 2005, 259:25, LVI extended by 2007, 264:29 LXXIV extended by 2009, 145:19, 64 extended by 2011, 253:28, 98 for acquisition for railroad and airport properties.

111. The appropriation made to the New Hampshire veterans' home in 2011, 253:1, XV, A for electronic medical records.

27 Effective Date.

I. Section 26 of this act shall take effect June 30, 2013.

II. The remainder of this act shall take effect July 1, 2013.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Beaudoin offered floor amendment (1207h).

#### **Floor Amendment (1207h)**

Amend paragraph IV of section 1 of the bill by replacing it with the following:

##### **IV. Department of Corrections**

A. Remove and Replace 2, 20,000 Gallon Oil Tanks and one 5,000 Gallon Diesel Tank	130,000
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B. Electronic Medical Records System	<u>500,000</u>
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Total state appropriation paragraph IV	\$630,000
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Amend the total state appropriation section 1 by replacing it with the following:

Total state appropriation section 1	\$78,701,396
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Amend the bill by replacing section 7 with the following:

7 Bond Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, and 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$138,430,748 and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The source of funds shall be as follows: general fund \$86,201,396, highway funds \$13,277,500, and other funds \$38,951,852.



Amend the bill by inserting after section 26 the following and renumbering the original section 27 to read as 28:

27 Committee Established; State Prison for Women. There is established a committee to study alternatives to the construction of a new facility for the state prison for women.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives.

(b) Two members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall study alternatives to the construction of a new facility for the state prison for women. The committee shall examine whether the state should confine the number of female prisoners over the capacity of the current state prison for women at the Strafford county correctional facility or at other county correctional facilities with excess capacity. The committee shall also determine the feasibility of expanding the current facilities at the state prison for women in Goffstown.

IV. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

V. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

Reps. Beaudoin and Burt spoke in favor.

Rep. Campbell spoke against and yielded to questions.

Rep. Burt requested a roll call; sufficiently seconded.

## YEAS 98 NAYS 253

### YEAS 98

#### BELKNAP

Burchell, Richard  
Greemore, Robert Jr

Comtois, Guy  
Sylvia, Michael

Cormier, Jane  
Vadney, Herbert

Fink, Charles

#### CARROLL

Ahlgren, Christopher  
Wright, Donald

Cordelli, Glenn

Nelson, Bill

Schmidt, Stephen

#### CHESHIRE

Johnson, Jane

#### COOS

Rideout, Leon

#### GRAFTON

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

Massimilla, Linda

#### HILLSBOROUGH

Belanger, James  
Cebrowski, John  
Garcia, Michael  
Hinch, Richard  
LeBrun, Donald  
Meaney, Richard  
O'Brien, William  
Peterson, Lenette  
Souza, Kathleen  
Ulery, Jordan

Boehm, Ralph  
Culbert, Patrick  
Haefner, Robert  
Hopper, Gary  
LeVasseur, Richard  
Murphy, Keith  
Palmer, Stephen  
Pratt, Calvin  
Straight, Philip  
Villeneuve, Moe

Burt, John  
Daniels, Gary  
Hansen, Peter  
Infantine, William  
Marston, Dick  
Murphy, Kelleigh  
Parison, James  
Renzullo, Andrew  
Stroud, Kathleen  
Willette, Robert

Byron, Frank  
Flanagan, Jack  
Hikel, John  
Lambert, George  
McCarthy, Michael  
Notter, Jeanine  
Pellegrino, Tony  
Sandblade, Emily  
Takesian, Charlene

**MERRIMACK**

Gile, Mary  
Reed, Dennis

Hoell, J.R.  
Walsh, Thomas IV

McGuire, Carol  
Waltz, Mary Beth

McGuire, Dan

**ROCKINGHAM**

Allen, Mary  
Chirichiello, Brian  
Emerick, J. Tracy  
Hodgdon, Bruce  
Major, Norman  
Schroadter, Adam

Baldasaro, Alfred  
Comerford, Timothy  
Garcia, Bianca  
Hoelzel, Kathleen  
McKinney, Betsy  
Webb, James Sr

Bick, Patrick  
Danais, Romeo  
Gordon, Richard  
Itse, Daniel  
Oigny, Jeffrey

Birdsell, Regina  
Duarte, Joe  
Harris, Jeffrey  
Kappler, Lawrence  
Rice, Frederick

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Pelletier, Marsha

Berube, Roger  
Hubbard, Pamela  
Pitre, Joseph

Bickford, David  
Jones, Laura

Gray, James  
Parsons, Robbie

**SULLIVAN**

Rollins, Skip

Smith, Steven

**NAYS 253****BELKNAP**

Arsenault, Beth  
Gulick, Ruth  
Raymond, Ian

DiMartino, Lisa  
Holmes, Stephen  
Tilton, Franklin

Fields, Dennis  
Huot, David  
Worsman, Colette

Flanders, Donald  
Luther, Robert

**CARROLL**

Buco, Thomas  
Lavender, Tom  
Umberger, Karen

Butler, Edward  
McConkey, Mark  
White, Syndi

Chandler, Gene  
Merrow, Harry

Crawford, Karel  
Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Sad, Tara  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Mann, John  
Shepardson, Marjorie

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Weber, Lucy

Butynski, William  
Johnsen, Gladys  
Robertson, Timothy  
Weed, Charles

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Gionet, Edmond  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

Bailey, Brad  
Ford, Susan  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Coffey, James  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda

Barry, Richard  
Campbell, David  
Connor, Evelyn  
Dobson, Jeremy  
Gargas, Carolyn  
Graham, John

Beaulieu, Jane  
Carroll, Douglas  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Hackel, Paul

Boisvert, Ronald  
Chandle, Shannon  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Hammond, Jill

Hansberry, Daniel  
Jasper, Shawn  
Kurk, Neal  
Long, Patrick  
McCloskey, David  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Winters, Joel

Harriott-Gathright, Linda  
Jeudy, Jean  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Flaherty, Tim  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vaillancourt, Steve  
Woodbury, David

Heden, Ruth  
Knowles, Mary Ann  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Murotake, David  
O'Neil, William  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

Jack, Martin  
Kopka, Angeline  
Levesque, Melanie  
Martel, Andre  
Nelson, Mary  
Porter, Marjorie  
Rowe, Robert  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hess, David  
Kelly, Sally  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

### ROCKINGHAM

Abrami, Patrick  
Briden, Steven  
Copeland, Timothy  
Dumaine, Dudley  
Flockhart, Eileen  
Hayes, Jack  
Lovejoy, Patricia  
Moody, Marcia  
Packard, Sherman  
Sanders, Elisabeth  
Sherman, Thomas  
Till, Mary  
Weyler, Kenneth

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Cushing, Robert Jr  
Elliott, Robert  
Friel, William  
Helmstetter, Barbara  
Mann, Maureen  
Muns, Chris  
Pantelakos, Laura  
Scarlotto, Joe  
St.James, Kevin  
Ward, Gerald  
Whitemore, Lisa

Bishop, Franklin  
Cahill, Michael  
DeSimone, Debra  
Emerson-Brown, Rebecca  
Garcia, Marilinda  
Introne, Robert  
McMahon, Charles  
Nigrello, Robert  
Peckham, Michele  
Schlachman, Donna  
Sweeney, Joe  
Waterhouse, Kevin

Borden, David  
Charron, Gene  
Devine, James  
Fesh, Robert  
Griffin, Mary  
Kolodziej, Walter  
Milz, David  
O'Connor, John  
Priestley, Anne  
Sedensky, John  
Sytek, John  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Miller, David  
Rollo, Deanna  
Verschuere, James

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Mullen, John Jr  
Schmidt, Peter  
Wall, Janet

Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Perry, Robert  
Spang, Judith  
Ward, Kenneth

Burke, Rachel  
Grossman, Kenneth  
Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gotting, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

and floor amendment (1207h) failed.  
Rep. Walz voted Yea and intended to vote Nay.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 285 NAYS 68****YEAS 285****BELKNAP**

Arsenault, Beth  
Flanders, Donald  
Tilton, Franklin

DiMartino, Lisa  
Gulick, Ruth  
Worsman, Colette

Fields, Dennis  
Huot, David

Fink, Charles  
Raymond, Ian

**CARROLL**

Ahlgren, Christopher  
Cordelli, Glenn  
Merrow, Harry

Buco, Thomas  
Crawford, Karel  
Ticehurst, Susan

Butler, Edward  
Lavender, Tom  
Umberger, Karen

Chandler, Gene  
McConkey, Mark  
White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Roberts, Kris  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Young, Harry

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald  
Carroll, Douglas  
Connor, Evelyn  
Dobson, Jeremy  
Gargas, Carolyn  
Graham, John  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Levasseur, Nickolas  
MacKay, Mariellen  
McNamara, Richard  
O'Flaherty, Tim  
Porter, Marjorie  
Rowe, Robert  
Smith, Timothy  
Stroud, Kathleen  
Vail, Suzanne  
Winters, Joel

Barry, Richard  
Brown, Pamela  
Cebrowski, John  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Hackel, Paul  
Harriott-Gathright, Linda  
Jasper, Shawn  
Kurk, Neal  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murotake, David  
O'Neil, William  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Sullivan, Daniel  
Vaillancourt, Steve  
Woodbury, David

Beaulieu, Jane  
Byron, Frank  
Chandley, Shannon  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Haefner, Robert  
Heden, Ruth  
Jeudy, Jean  
Lambert, George  
Levesque, Melanie  
Martel, Andre  
Nelson, Mary  
Parison, James  
Rhodes, Brian  
Shattuck, Gilman  
Souza, Kathleen  
Sullivan, Peter  
Walsh, Robert Jr

Belanger, James  
Campbell, David  
Coffey, James  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hammond, Jill  
Hinch, Richard  
Knowles, Mary Ann  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
O'Brien, Michael Sr  
Pellegrino, Tony  
Rosenwald, Cindy  
Shaw, Barbara  
Spratt, Stephen  
Takesian, Charlene  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott

Andrews, Christopher  
Carey, Lorrie

Bartlett, Christy  
Carson, Clyde

Bouchard, Candace  
Davis, Frank

Ebel, Karen  
 Gile, Mary  
 Hunt, Jane  
 Kotowski, Frank  
 Myler, Mel  
 Rice, Chip  
 Schuett, Dianne  
 Wallner, Mary Jane  
 Webb, Leigh

Frambach, Mary  
 Henle, Paul  
 Karrick, David Jr  
 Lockwood, Priscilla  
 Patten, Dick  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walsh, Thomas IV

Frazer, June  
 Hess, David  
 Kelly, Sally  
 MacKay, James  
 Ratzki, Mario  
 Rogers, Katherine  
 Tilton, Joy  
 Walz, Mary Beth

French, Barbara  
 Hirsch, Geoffrey  
 Kidder, David  
 Moffett, Howard  
 Reed, Dennis  
 Schamberg, Thomas  
 Turcotte, Alan  
 Watrous, Rick

### ROCKINGHAM

Abrami, Patrick  
 Bishop, Franklin  
 Cahill, Michael  
 DeSimone, Debra  
 Fesh, Robert  
 Garcia, Marilinda  
 Helmstetter, Barbara  
 Kolodziej, Walter  
 McMahon, Charles  
 Nigrello, Robert  
 Pantelakos, Laura  
 Schlachman, Donna  
 Sytek, John  
 Wazlaw, Brian

Andrews-Ahearn, E. Elaine  
 Borden, David  
 Chirichiello, Brian  
 Elliott, Robert  
 Flockhart, Eileen  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 Milz, David  
 O'Connor, John  
 Priestley, Anne  
 Sherman, Thomas  
 Tili, Mary  
 Webb, James Sr

Bick, Patrick  
 Briden, Steven  
 Copeland, Timothy  
 Emerick, J. Tracy  
 Friel, William  
 Harris, Jeffrey  
 Introne, Robert  
 Major, Norman  
 Moody, Marcia  
 Oigny, Jeffrey  
 Sanders, Elisabeth  
 St.James, Kevin  
 Ward, Gerald  
 Weyler, Kenneth

Birdsell, Regina  
 Burtis, Elizabeth  
 Cushing, Robert Jr  
 Emerson-Brown, Rebecca  
 Garcia, Bianca  
 Hayes, Jack  
 Kappler, Lawrence  
 Mann, Maureen  
 Muns, Chris  
 Packard, Sherman  
 Scarlotto, Joe  
 Sweeney, Joe  
 Waterhouse, Kevin  
 Whittemore, Lisa

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Gray, James  
 Hubbard, Pamela  
 Mullen, John Jr  
 Rollo, Deanna  
 Verschueren, James

Berube, Roger  
 Gardner, Janice  
 Grossman, Kenneth  
 Kaen, Naida  
 Pelletier, Marsha  
 Schmidt, Peter  
 Wall, Janet

Bixby, Peter  
 Ginsburg, Philip  
 Hooper, Dorothea  
 Malloy, Dennis  
 Perry, Robert  
 Spang, Judith  
 Ward, Kenneth

Burdwood, Greg  
 Grassie, Anne  
 Horrigan, Timothy  
 Miller, David  
 Rogers, Rose Marie  
 Stevens, Audrey

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Sweeney, Cynthia

Gagnon, Raymond  
 Lefebvre, Benjamin  
 Tanner, Linda

Gottling, Suzanne  
 O'Hearne, Andrew

Grenier, James  
 Schmidt, Andrew

### NAYS 68

### BELKNAP

Burchell, Richard  
 Holmes, Stephen

Comtois, Guy  
 Luther, Robert

Cormier, Jane  
 Sylvia, Michael

Greemore, Robert Jr  
 Vadney, Herbert

### CARROLL

Nelson, Bill

Schmidt, Stephen

Wright, Donald

### CHESHIRE

None

### COOS

Rideout, Leon

### GRAFTON

Bailey, Brad

**HILLSBOROUGH**

Boehm, Ralph	Burt, John	Culbert, Patrick	Daniels, Gary
Flanagan, Jack	Garcia, Michael	Hansen, Peter	Hikel, John
Hopper, Gary	Infantine, William	LeBrun, Donald	Marston, Dick
McCarthy, Michael	Meaney, Richard	Murphy, Keith	Murphy, Kelleigh
Notter, Jeanine	O'Brien, William	Palmer, Stephen	Peterson, Lenette
Pratt, Calvin	Renzullo, Andrew	Sandblade, Emily	Straight, Philip
Ulerly, Jordan	Villeneuve, Moe	Willette, Robert	

**MERRIMACK**

Hoell, J.R.	McGuire, Carol	McGuire, Dan	Smith, Todd
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**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Charron, Gene	Comerford, Timothy
Danaïs, Romeo	Devine, James	Duarte, Joe	Dumaine, Dudley
Gordon, Richard	Hodgdon, Bruce	Itse, Daniel	McKinney, Betsy
Peckham, Michele	Rice, Frederick	Schroadter, Adam	Sedensky, John

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Groen, Warren	Jones, Laura
Parsons, Robbie	Pitre, Joseph		

**SULLIVAN**

Rollins, Skip	Smith, Steven
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and the committee report was adopted and ordered to third reading.

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, April 24, 2013 at 10:00 a.m.

Adopted.

**LATE SESSION****Third reading and final passage**

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015.

**HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures.

**HB 25-FN-A**, making appropriations for capital improvements.

**UNANIMOUS CONSENT**

Rep. Carroll addressed the House.

**RECESS MOTION**

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments and enrolled bill reports.

Adopted.

The House recessed at 5:00 p.m.

**RECESS**

(Rep. Graham in the Chair)

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 3, 25, 27, 75, 98, 99, 108, 123, 129, 134, 143, 147, 148, 162,

163, 164, 166, 169, 175, 180, 184, 191 and 198 and Senate Concurrent Resolution numbered 1 shall be by this resolution read a first and second time by the therein listed titles and referred to the therein designated committees.  
Adopted.

## INTRODUCTION OF SENATE BILLS AND SCR

### First, second reading and referral

**SB 3-FN**, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack. (Public Works and Highways)

**SB 25**, relative to the treatment of medical support in child support cases. (Children and Family Law)

**SB 27**, relative to monitoring by the department of education of programs for children with disabilities. (Education)

**SB 75**, relative to games of chance. (Ways and Means)

**SB 98**, authorizing group net metering for limited electrical energy procedures and establishing a committee to study reimbursement rates for excess electricity generated by customer-generator groups. (Science, Technology and Energy)

**SB 99**, requiring the site evaluation committee to direct a study of site evaluation criteria and establishing a committee to study the criteria for siting of wind powered electric generating facilities, other electric generating facilities, and transmission facilities. (Science, Technology and Energy)

**SB 108**, relative to the liability of landowners who permit use of their land for recreational activities. (Judiciary)

**SB 123-FN-L**, relative to the use of proceeds from the regional greenhouse gas initiative program. (Science, Technology and Energy)

**SB 129-FN**, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need. (Children and Family Law/Finance)

**SB 134-FN**, relative to the division of higher education and the higher education commission. (Education/Ways and Means)

**SB 143-FN**, relative to benefits for unemployed persons who are attempting to establish a business. (Labor, Industrial and Rehabilitative Services)

**SB 147-FN**, relative to prescription drugs in workers' compensation cases. (Labor, Industrial and Rehabilitative Services)

**SB 148-FN**, relative to electric renewable portfolio standards. (Science, Technology and Energy)

**SB 162-FN**, repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds, and relative to the membership of the higher education commission. (Education/Finance)

**SB 163**, establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards. (Resources, Recreation and Development)

**SB 164**, authorizing coastal management provisions in master plans. (Resources, Recreation and Development)

**SB 166**, relative to critical incident stress management and crisis intervention services. (Health, Human Services and Elderly Affairs/Judiciary)

**SB 169**, relative to non-covered services under dental insurance plans. (Commerce and Consumer Affairs)

**SB 175**, relative to crossing public waters of the state for public utility purposes. (Science, Technology and Energy)

**SB 180-FN-A**, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund. (Commerce and Consumer Affairs/Finance)

**SB 184-FN**, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services. (Executive Departments and Administration/Finance)

**SB 191-FN-A**, establishing a state energy strategy. (Science, Technology and Energy)

**SB 198**, relative to the authority of county correctional officers. (Municipal and County Government)

**SCR 1**, relative to special use permits in the White Mountain National Forest. (Resources, Recreation and Development)

## COMMITTEE ASSIGNMENT

The Speaker made the following committee assignment:  
Rep. William O'Neil on the Committee on Transportation.

RECESS

**(Rep. Wallner in the Chair)**

**RESOLUTION**

Rep. Leishman offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 152 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.  
Adopted.

**INTRODUCTION OF SENATE BILL**

**First, second reading and referral**

**SB 152-FN-A-L**, relative to video lottery and table gaming. (Joint Committee on Finance and Ways and Means)

**RECESS**

**(Rep. Gale in the Chair)**

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 126, 194, 208, 236, 309 and 543.

Rep. Shurtleff, Sen. Prescott for the Committee

**SENATE MESSAGES**

**CONCURRENCE**

**HB 111**, relative to the acquisition of property rights at Akers Pond dam in the town of Errol by the fish and game department and the acquisition of property rights at Northwood Lake dam in the town of Epsom and Hermit Lake dam in the town of Sanbornton by the department of environmental services.

**HB 112-FN**, relative to reclamation trust funds.

**HB 146**, increasing the speed limit on a portion of I-93 to 70 miles per hour.

**HB 147-FN**, repealing a duty of the assessing standards board concerning municipal reimbursement for the cost of assessments.

**HB 156**, relative to the appointment and duties of the state fire marshal.

**HB 157**, renaming Blood Pond in the town of Lancaster as Evans Pond.

**HB 180**, relative to the definitions of "student athlete" and "student sports" for the management of concussion and head injury.

**HB 181**, repealing the equalization standards board.

**HB 182**, relative to appointments to the assessing standards board.

**HB 190**, relative to professional misconduct of dental hygienists.

**HB 202-FN**, relative to beverage and liquor licenses for bed and breakfasts.

**HB 206**, relative to political advertising.

**HB 216**, relative to the use of the title "fire marshal."

**HB 237**, relative to home production of wine for personal or family use.

**HB 267**, relative to the board of accountancy.

**HB 282**, relative to mixed use school buses, relative to licensing and criminal records of driver education instructors, and relative to background checks for department of safety employees.

**HB 293**, relative to the adverse events reporting system.

**HB 339-FN**, establishing a committee to study existing debt collection laws and practices.

**HB 349**, relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park.

**HB 368**, relative to the telecommunications planning and development initiative.

**HB 372**, relative to state agency telecommunications services.

**HB 376**, relative to the shop licensure requirements for barbers, cosmetologists, manicurists, and estheticians.

**HB 416**, shortening the appeals process for a permitting decision under RSA 482-A, relative to fill and dredge in wetlands.

**HB 418**, establishing a committee to study a program to address children in need.

**HB 428**, relative to funds for dam maintenance, removal and improvement.



**HB 482-FN**, regarding infestation of bed bugs in rental housing.

**HB 486-FN-A**, making an appropriation for the purpose of paying residential care providers at the Chase Home for Children.

**HB 509**, requiring the department of administrative services to provide the New Hampshire Department of American Legion with office space.

**HB 516**, establishing a committee to study the overlap of federal, state, and local regulation relative to environmental issues.

**HB 517**, relative to the incidental combustion of untreated wood at certain municipal transfer stations.

**HB 519**, requiring the division of higher education to develop a policy on academic credit for a student's military occupation, military training, coursework, and experience.

**HB 560**, repealing the board of trust company incorporation.

**HB 598**, relative to the reasonable compensation deduction under the business profits tax.

**HB 629-FN**, relative to the criteria for approving and calculating school building aid grants.

**HB 639**, relative to beverage container and packaging approval.

**HB 676-FN-A-L**, extending the Coos county job creation tax credit.

### CONCURRENCE WITH AMENDMENT

**SB 74**, relative to an exemption for entities that furnish hot water through a district energy system.

### NONCONCURRENCE

**HB 159**, requiring patriotic exercises in public schools on federal Constitution Day.

**HB 171**, relative to the civil penalty for failure to make payment of workers' compensation.

**HB 172**, requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation.

**HB 247-FN**, increasing compensation for wrongful incarceration.

### LAIID ON THE TABLE

**HB 183**, relative to processing absentee ballots.

**HB 265**, relative to procedures by absentee voters.

**HB 301**, relative to notice of sale in foreclosure proceedings.

**HB 370-FN**, repealing the education tax credit program.

### RE-REFERRED TO COMMITTEE

**HB 230**, relative to administrative supervision of insurers.

### RECESS

### (Speaker Norelli in the Chair)

Rep. Kaen moved that the House adjourn.

Adopted.

## HOUSE JOURNAL No. 15

Wednesday, April 24, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

Before we pray, I'd like to offer these words from the Governor from our neighboring state to the South, Deval Patrick, who spoke at last week's Memorial Service for the victims of the Boston Marathon bombings: "So, we will recover and repair. We will grieve our losses and heal. We will rise and we will endure. We will have accountability without vengeance; vigilance without fear. And we will remember, I hope and pray, long after the buzz of Boylston Street is back and the media has turned its attention elsewhere, that the grace this tragedy exposed is the best of who we are." I base this prayer today on that last phrase. I invite us to take a moment of silence to honor both the dead and the injured, but to give thanks as well for the countless living who helped bring a real gift out of this tragedy: the recognition of "the best of who we are." In the wake of the Boston Marathon bombings, O God, we find ourselves saddened but somehow grateful, concerned but somehow less afraid, for in the midst of tragedy; You helped to expose the best of who we are. We were privileged to behold the coming together of people of every walk of life imaginable in countless acts of mercy, compassion. You took strangers and turned them into companions. You took terror and turned it into trust. You took desperation and turned it into devotion. And so, like the people in Boston this past Patriot's Day, may we allow the struggles we face in our lives and in this Chamber expose the best in us: Give us justice without scapegoats; accountability without vengeance; vigilance without fear; strength without retribution; principle without pettiness; peace without violence. Grant us, like so many that fateful Monday, the love to run into harm's way in order to help a stranger. Help us as a society not miss the chance to address whatever is wrong in the lives of so many young males in our country so that they no longer need to turn to violent means of getting attention or resolving inner conflicts. And help us to learn from the life of one eight-year-old boy in particular who lost his life but who shared with us perhaps the most resonant words of the past two weeks: *No more hurting people. Peace.* Amen.

Representative Robert Haefner, member from Hudson, led the Pledge of Allegiance.

The National Anthem was sung by Max Sjostrom, a 7<sup>th</sup> grade student from Gorham.

### LEAVES OF ABSENCE

Reps. Arsenault, Boisvert, Marcia Hammon, Jill Hammond, Nickolas Levasseur, McCarthy, McCloskey, Miller, Rokas and Tanner, the day, illness.

Reps. Andrews, Berube, Burns, Cushing, Dobson, Elliott, Friel, Gary Hopper, Infantine, Introne, Lerandau, Myler, Nigrello, Michael O'Brien, O'Connor, Rideout, Jeffrey Shackett, Sherman, Timothy Smith, Tasker, Ulery and Carol Williams, the day, important business.

Reps. Grossman, Kelleigh Murphy and Scarlotto, the day, illness in the family.

### INTRODUCTION OF GUESTS

Raluca Negulescu of Romania, a participant in the Department of State's Professional Fellows Program, guest of Reps. Backus and Long. Jim Tatro, Master of the New Hampshire State Grange and other Grange members, guests of those Reps. who are Grange Members. Dawn Domenico, wife of Rep. Meaney. Visitors from the Hollis Senior Citizens Association and Nicholas Gamache, guests and grandson of Rep. James Belanger. The Honorable Carolyn Brown, former member from Conway and her grandchildren Tim and Alyx Guyer, guests of Rep. Umberger. Ellen Chase and Jonathan Botkin, wife and guest of Rep. John Mann. Eamon Silvia-Chandley, and Kris, Ben and Anna Tardiff, son and guests of Rep. Chandley. William Hunt, guest of Rep. Tremblay. Kris, Linda and Sam Sjostrom, parents and brother of the singer, guests of the House.

### MOTION TO VACATE

Rep. Wallner moved that the House vacate the reference of **SB 153-FN**, relative to legislative approval of collective bargaining agreements entered into by the state, to the Committee on Finance. Adopted.

The Speaker referred **SB 153-FN** to the Committee on Labor, Industrial and Rehabilitative Services.

**MOTION TO VACATE**

Rep. Porter moved that the House vacate the reference of **SB 198**, relative to the authority of county correctional officers, to the Committee on Municipal and County Government.  
Adopted.

The Speaker referred **SB 198** to the Committee on Criminal Justice and Public Safety.

**MOTION TO SUSPEND HOUSE RULES**

Reps. Shurtleff and Chandler moved that House Rules be so far suspended as to allow for late introduction of **SB 196-FN**, relative to the definition of push-polling.  
Adopted by the necessary two-thirds vote.

**RESOLUTION**

Rep. Kaen offered the following: **RESOLVED**, that in accordance with the list in the possession of the Clerk, Senate Bill numbered 196 shall be by this resolution read a first and second time by the therein listed title and referred to the therein designated committee.  
Adopted.

**INTRODUCTION OF SENATE BILL****First, second reading and referral**

**SB 196-FN**, relative to the definition of push-polling. (Election Law)

**CONSENT CALENDAR**

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**SB 35**, relative to the master jury list, removed by Rep. Kurk.

**SB 43**, relative to the property taxation of qualifying historic buildings, removed by Rep. Warden.  
Consent Calendar adopted.

Rep. St. James declared a conflict of interest on **SB 34** and did not participate in the vote on the Consent Calendar.

**SB 52**, relative to names of limited partnerships. **OUGHT TO PASS.**

Rep. Chris Muns for Commerce and Consumer Affairs: This bill is a request of the secretary of state. This bill is a technical correction which allows a limited partnership to use the abbreviation "L.P." in its name. Vote 18-0.

**SB 127-FN**, relative to registration of certain state contracts with the department of state and repealing the information practices act. **OUGHT TO PASS.**

Rep. Richard D. McNamara for Commerce and Consumer Affairs: This bill increases the dollar amount of certain state contracts registered with the secretary of state and brings them into compliance with the threshold for contract review and approval by the executive council. This bill also repeals the information practices act which was passed in the 1970s and is not relevant. Vote 17-1.

**SB 140-FN**, requiring a pharmacy to substitute generically equivalent drugs for any prescription paid for by state funds. **INEXPEDIENT TO LEGISLATE.**

Rep. Jill S. Hammond for Commerce and Consumer Affairs: This bill would have required a pharmacy to substitute generically equivalent drugs for any prescription paid for by state funds. The health plans used by the state already widely follow this policy, and this bill is unnecessary. Vote 18-0.

**SB 161**, relative to electronic funds transfers. **OUGHT TO PASS.**

Rep. Ruth S. Heden for Commerce and Consumer Affairs: This bill is a request of the banking department. It updates our laws to be consistent with the electronic transfer act and the Uniform Commercial Code. The UCC Board and NH banking association are in support. Vote 18-0.

**SB 81**, authorizing phlebotomists to withdraw blood for alcohol concentration tests. **OUGHT TO PASS.**

Rep. Larry G. Gagne for Criminal Justice and Public Safety: This bill will add phlebotomists to the list of medical professionals allowed to withdraw blood for alcohol concentration tests. The bill is a request from the department of safety because many times in smaller police jurisdictions it is difficult to get other professionals to withdraw blood. Vote 15-0.

**SB 136**, relative to the rights of the immediate family of crime victims. **INEXPEDIENT TO LEGISLATE.**

Rep. Steve Vaillancourt for Criminal Justice and Public Safety: While sympathetic with the intentions of the senator who filed this bill at the request of a constituent, the committee does not believe it is either necessary or wise to amend the victim's rights legislation which has served the state well for decades. This bill would do four things, two of which are not needed; one of which is not possible without tremendous cost; and one of which is not wise. The bill states that a victim has the right to refuse any communication with the accused; that is already the case. The bill states that a victim's family member has a right to display a photo of the victim during sentencing. This is already being done. The bill notes that a secure and separate waiting area (rather than secure but not necessarily separate) be provided during court proceedings. This might not be possible without reconfiguring courtrooms. Finally, the bill requires police investigators to inform victims' families within 24 hours of a crime. While this might seem like a good idea, the committee is convinced law enforcement is already doing this in a timely manner and it would not be wise to stipulate 24 hours when valuable time could be better spent solving the crime. Vote 14-0.

**SB 33**, making technical changes to the judicial retirement plan. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lucy M. Weber for Executive Departments and Administration: The bill amends RSA 100-C:11, II, specifying who advises the chief justice on the appointment of trustees to the judicial retirement system board. It eliminates language that referred to the administrative justices of the district and probate courts, as these positions are now included in the circuit court. The bill specifies that the chief justice would seek the advice and consent of the administrative council, a four member body created by court rule. The committee amendment specifies the four persons by specific job title: the chief justice of the superior court, the administrative judge and deputy administrative judge of the circuit court, and the director of the administrative office of the courts. Vote 17-0.

**Amendment (1255h)**

Amend the bill by replacing section 2 with the following:

2 Administration; Appointment. Amend RSA 100-C:11, II to read as follows:

II. The board of trustees of the judicial retirement plan shall consist of 7 members. The governor and council shall appoint 2 trustees, one of whom the governor shall designate to serve as chairman of the board of trustees, and who shall be qualified persons with business experience and not members of the judicial retirement plan, and who shall serve for a term of 3 years and until such trustee's successor is appointed and qualified, except that the original appointment of one of the trustees shall be for a term of one year. The chief justice of the state supreme court, with the advice and consent of the chief justice of the superior court, ~~and the administrative justices of the district and probate courts~~ **judge and deputy administrative judge of the circuit court, and the director of the administrative office of the courts**, shall appoint 3 trustees, at least 2 of whom shall be active members of the judicial retirement plan and one of whom may be a retired member, and who shall serve for a term of 3 years and until such trustee's successor is appointed and qualified, except that the original appointment of one of the trustees shall be for a term of one year, and the original appointment of another of the trustees shall be for a term of 2 years. One member of the state senate shall be appointed biennially by the senate president as a trustee of the board, and one member of the house of representatives shall be appointed biennially by the speaker of the house as a trustee of the board.

**SB 42**, relative to applications for licensure by the real estate appraisers board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jeffrey P. Goley for Executive Departments and Administration: Real estate appraiser regulatory programs in New Hampshire are overseen by the federal appraisal subcommittee. The subcommittee monitors state regulatory programs by commissioning a biennial audit of the state's real estate appraiser programs for compliance with federal requirements. New Hampshire's next federal audit is scheduled for July 2013. This bill was a request of the board in order to be in compliance with federal standards, which include the requirement for a criminal history record check consisting of finger printing for new licensees. SB 42 also removes statutory references from RSA 310-B:12, Nonresident Licensure or Certification by Reciprocity that do not comply with the Federal Dodd-Frank Reform Act. The amendment changes the effective date to "upon passage" due to the necessity of it being enacted prior to the July 2013 audit. Vote 16-2.

**Amendment (1254h)**

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect upon its passage.

**SB 54**, relative to appeals from the department of administrative services bureau of public works design and construction. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven P. Beaudoin for Executive Departments and Administration: This bill's intent is to simplify the appeals process whenever there is a dispute concerning the plans submitted by the bureau of public works design and construction. Current statute requires a formal hearing. This bill will allow for a simple informal review by the director of the division of plant and property management. This informal review will allow minor disputes to be resolved with the least delay or expense. The bill will result in there being fewer and shorter delays in construction of public works projects. The amendment as adopted by the committee eliminates duplication by removing the requirement established in RSA 21-L:14 that the department of transportation also hear the appeal. Vote 18-0.

**Amendment (1256h)**

Amend the bill by replacing all after section 2 with the following:

3 Department of Transportation; Powers and Duties of the Appeals Board. Amend RSA 21-L:15, I to read as follows:

I. The board shall hear and decide appeals from decisions of the commissioner relative to contract interpretation or other decisions affecting persons not employed by the department, municipalities, or private property, except condemnations of property for public uses, and the assessment of damages therefor. Decisions of division directors shall be appealed to the commissioner. Decisions of the commissioner may be appealed to the appeals board, except decisions relative to aeronautical matters, which may be appealed to the aviation users advisory board established under RSA 21-L:8, and decisions relative to common carriers by rail, which may be appealed to the railroad appeals board established under RSA 21-L:16. ~~[The board shall also hear appeals from the department of administrative services relating to such matters involving public works design and construction as have been delegated to the department of administrative services or as were administered prior to July 1, 2005 by the division of public works, department of transportation.]~~

4 Applicability. The amendments to RSA 21-L:86 and RSA 21-L:15, I made by sections 2 and 3 of this act shall not apply to matters pending before the transportation appeals board, the division of plant and property management, or the commissioner of administrative services on the effective date of this act.

5 Effective Date. This act shall take effect 60 days after its passage.

**SB 93**, relative to plumbers and mechanical contractors on state boards. **OUGHT TO PASS.**

Rep. Mary S. Nelson for Executive Departments and Administration: This bill is a housekeeping measure which changes references to the New Hampshire Plumbing and Mechanical Contractors Association to conform to the current actual name of the organization: Plumbers, Fuel Gas Fitters, and HVAC Association of New Hampshire. Vote 18-0.

**SB 178**, establishing a committee to review and make recommendations regarding consolidating all state energy positions throughout state departments. **INEXPEDIENT TO LEGISLATE.**

Rep. Carol M. McGuire for Executive Departments and Administration: The committee felt that the charge of this study committee was inadequately defined and to a large degree redundant due to the duties of the governor's office of energy and planning. Since the public utilities commission - which has a substantial energy component - requested at the hearing that they be excluded from this study, the committee felt that this study would not produce any useful information that the office of energy and planning could not equally well provide. The committee had further concerns about a study committee composed of one Senator and five Representatives. Vote 16-0.

**SB 28**, relative to the department of transportation inventory fund and relative to the effective date of the transfer of the electricians' board to the joint board for licensure and certification. **OUGHT TO PASS.**

Rep. Lynne M. Ober for Finance: This bill amends RSA 228:24, which established a transportation fund, by increasing the cap to \$2,000,000 and changing the name from public works and highway inventory fund to department of transportation inventory fund. The existing cap is currently being exceeded because prices have gone up significantly since the establishment of this fund and the department said

that in an effort to meet the cap, they were unable to keep adequate inventory of parts and supplies needed to complete repairs on equipment, resulting in repair delay. The inventory fund is a revolving fund that does not require a draw upon the highway fund. There is no budgetary impact with raising the cap. This bill also moves the already approved transfer of the electricians' board to the joint board upon passage of the bill. The move is scheduled for July 1, 2013. Performing the transfer slightly earlier than anticipated will help facilitate a federal audit that will cover one section of the joint board. Completing the transfer prior to July 1, 2013 will allow the transfer to receive full attention and allow all details to be covered and completed prior to the beginning of the audit. Vote 18-0.

**SB 34**, relative to the appointment of bail commissioners. **OUGHT TO PASS.**

Rep. Joseph M. Hagan for Judiciary: The liberty interests of even citizens accused of crime are of paramount importance to New Hampshire. Therefore, bail proceedings must be free from bias or conflict of interest. This bill mandates that the circuit court shall not appoint any bail commissioner with bias or conflict of interest. Vote 19-0.

**SB 44**, relative to the disposal of controlled drugs by law enforcement officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gary S. Hopper for Judiciary: This is a housekeeping measure that changes the authority for the disposal of controlled substances from the district court to the circuit court (last term we changed the scope of the authority for the district court) and clarifies the process for the disposal of controlled substances. Vote 19-0.

#### Amendment (1250h)

Amend the bill by replacing section 2 with the following:

2 Pharmaceutical Drug Take-Back Program Authorized. Amend RSA 318-E:1, III to read as follows:

III. The department of justice, *with the consent of the* pharmacy board, *the* department of safety, and *the* department of environmental services shall [~~jointly~~] establish [~~guidelines by rule~~] *rules*[:] pursuant to RSA 541-A[:] for the collection, storage, and disposal of collected drugs in accordance with applicable state and federal statutes and regulations.

Referred to the Committee on Executive Departments and Administration.

**SB 68**, relative to the escrow fund for court facility improvements. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Rick H. Watrous for Judiciary: This bill was requested by the supreme court and makes technical corrections regarding the escrow fund for court facility improvements, including changing the name of the fund to the escrow fund for judicial branch facility improvements. The bill also decreases the percentage of court filing fees to be deposited in such escrow fund. Vote 19-0.

#### Amendment (1278h)

Amend the bill by replacing section 1 with the following:

1 Court Facilities Escrow Fund. Amend RSA 490:26-c, I to read as follows:

I. [~~Seven~~] *Six* percent of each entry fee collected in the [~~judicial branch family division and in the~~] supreme, [~~district~~] superior, and [~~probate~~] *circuit* courts shall be deposited in escrow for [~~court~~] *judicial branch* facility improvements. Moneys in the escrow fund shall be used for improvements to [~~existing~~] *judicial branch* facilities by the department of administrative services as recommended and approved by the supreme court.

Amend the bill by replacing all after section 2 with the following:

3 Contingency. If section 1 of this act takes effect, section 7 of HB 652-FN of the 2013 regular legislative session shall not take effect.

4 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bills makes technical corrections regarding the escrow fund for court facility improvements, including changing the name of the fund to the escrow fund for judicial branch facility improvements. The bill also decreases the percentage of court filing fees to be deposited in such escrow fund.

**SB 69**, relative to superior court jurisdiction over domestic violence petitions. **OUGHT TO PASS.**

Rep. David Woodbury for Judiciary: This bill transfers jurisdiction over domestic violence petitions from the superior court to the family division of the circuit court. This is in keeping with the

assumption by the family division of responsibility for family law related issues generally. The issue of protection from domestic violence is related to family law and belongs with the family division. There was no opposition to this change in committee. Vote 19-0.

**SB 105**, relative to disclosure of expert testimony in civil cases and relative to the recording of depositions. **OUGHT TO PASS.**

Rep. Paul S. Berch for Judiciary: There are two purposes for this bill. First, this bill would regulate discovery in civil cases into the bases of an expert's opinion. This bill would bring New Hampshire in conformity with federal practice and limit gamesmanship in civil litigation. It would reduce the costs and length of pre-trial litigation. In fact, many litigants already follow the federal rules. The second provision allows a party in a civil case to record a deposition by video, with proper notice and payment of costs. This provision would eliminate unnecessary applications to courts. Vote 19-0.

**SB 107**, relative to probate administration. **OUGHT TO PASS.**

Rep. David Woodbury for Judiciary: This bill originated in a committee charged with simplifying probate administration. It eases the burden of proving a will in common form when witnesses may be unavailable. It dispenses with the requirement of an inventory, a bond or an accounting in some cases and the disposition of assets is essentially uncontested. Inventories, when filed, no longer in most cases, require an appraiser. Vote 19-0.

**SB 2**, relative to the calculation of the local tax cap. **OUGHT TO PASS.**

Rep. James E. Coffey for Municipal and County Government: This bill is an amendment to RSA 32:5-b that corrects an error of omission in which the existing statute fails to account for the use of fund balance to reduce property taxes. Should a school district or municipality that has adopted a local tax cap desire to use its fund balance to reduce the tax rate, the reduced rate would become the base from which the local tax cap for the ensuing year would be calculated. Without this bill, local officials would be discouraged from using fund balance to reduce taxes. This bill resolves that problem to reduce taxes by adding the fund balance used into the following year's tax rate calculation. Vote 16-0.

**SB 12**, relative to protection and preservation of significant archeological deposits. **OUGHT TO PASS.**

Rep. Kris E. Roberts for Municipal and County Government: This bill would require as a condition of subdivision approval for any subdivision requiring an alteration of terrain permit under RSA 485-A:17 that the applicant (s) protect or document archeological resources in areas of archeological sensitivity that have been noted in the community's master plan. SB 12 is a well-thought out compromise by all stake-holders. SB 12 insures that archeological deposits are either protected, documented or a combination of both, thus preserving New Hampshire history. SB 12 allows communities, if they choose, to document potential areas of archeological interest in their master plans, thus ensuring that developers are well aware of possible areas of archeological sensitivity. Under current law small groups of individuals have had the ability to hold-up or even prevent the construction of not only sub-divisions, but schools, fire stations, and other facilities based on the possibility of archeological deposits. While all archeological deposits have value and should be documented, not all archeological deposits have such a value that requires their preservation. As display with the construction of the new Keene Middle School where a possible 11,000 year old community site was uncovered, the community, the state, the construction manager and other stake holders were able to work together to protect and document the valuable findings. Vote 16-0.

**SB 62**, authorizing the placement of a certain sign in the town of Danbury. **OUGHT TO PASS.**

Rep. David A. Bickford for Municipal and County Government: This bill allows Ragged Mountain Ski Area to replace its directional sign at the junction of Route 104 and Ragged Mountain Road. This bill is needed because Route 104 in this area is restricted by RSA 236:73. Vote 16-0.

**SB 80**, relative to expanding the community revitalization tax relief program to provide incentives for rehabilitating historic structures. **OUGHT TO PASS.**

Rep. Priscilla P. Lockwood for Municipal and County Government: This bill will expand the community revitalization tax relief program to provide incentive for rehabilitating historic structures rather than tearing them down. The community has the option of accepting this program. Vote 16-0.

**SB 139-FN-L**, relative to mileage fees for sheriffs and deputy sheriffs. **OUGHT TO PASS.**

Rep. David A Bickford for Municipal and County Government: This bill changes the calculation of mileage fees for sheriffs and deputies for serving process to the "sheriff's office or substation" from "residence of sheriff." Vote 16-0.

**REGULAR CALENDAR****SB 132-FN**, establishing a committee to study police special details. **INEXPEDIENT TO LEGISLATE.**

Rep. Dianne E. Schuett for Executive Departments and Administration: The bill proposed to study the efficacy of police special details, particularly at traffic construction sites. The committee was presented with a recent department of transportation study delineating use of police details versus flag persons at state construction sites. The committee also believed that decisions on whether to employ police or flag persons on municipal construction sites should be left to local control. Therefore, the committee could see no need for this study. Vote 14-3.

Committee report adopted.

**SB 157-FN**, establishing a New Hampshire disaster relief fund. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan M. Ford for Finance: SB 157-FN combines two existing funds that were created as a means to collect and distribute private donations to help people in need recover from storms, particularly those persons whose disaster-related needs may not be adequately met by federal assistance. There shall be established in the office of the state treasurer a nonlapsing fund that is to be kept separate from all other funds and which shall be designated as the New Hampshire disaster relief fund. Currently there is \$154,287 between the two funds. Vote 16-2.

**Amendment (1318h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Findings. The general court finds that:

I. New Hampshire has been severely impacted by several storms over the past few years resulting in the declaration of states of emergency throughout the state;

II. Homes, businesses, and personal property were damaged or destroyed in many areas across the state; and

III. It is in the interest of the citizens of the state to provide a means to collect and distribute private donations to help people in need recover from the storms, particularly those persons whose disaster-related needs may not be adequately met by federal assistance.

2 New Subparagraph; Special Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) Moneys designated for the New Hampshire disaster relief fund, established in RSA 21-P:46-a.

3 New Section; New Hampshire Disaster Relief Fund. Amend RSA 21-P by inserting after section 46 the following new section:

21-P:46-a New Hampshire Disaster Relief Fund.

I. There shall be established in the office of the state treasurer a nonlapsing fund that is to be kept separate from all other funds and which shall be designated as the New Hampshire disaster relief fund, into which private donations for disaster relief assistance shall be deposited and continually appropriated to the director for disaster relief. Two existing funds, one in the legislative branch known as the disaster fund, and one in the office of the state treasurer, known as the New Hampshire disaster relief fund 2011, shall be made part of the New Hampshire disaster relief fund.

II. Funds deposited in the New Hampshire disaster relief fund shall be made available to individuals who suffer damage and loss as a result of a declared disaster. All disbursements from the fund shall be approved by the director of homeland security and emergency management, in consultation with the individual assistance committee appointed under paragraph III.

III. The director shall appoint an individual assistance committee to review, evaluate, and make recommendations on requests for individual assistance. The committee shall be comprised of representatives from the nonprofit community, human service organizations, disaster response organizations, the Community Action Programs, and volunteer organizations, who shall serve at the pleasure of the director. The director shall designate a committee chair.

IV. The director shall maintain complete records of all funds received into and disbursed from, the New Hampshire disaster relief fund and shall report all such disbursements to the individual assistance committee and the state treasurer every 6 months following the effective date of this section.

4 Effective Date. This act shall take effect upon its passage.

Amendment adopted.

Committee report adopted and ordered to third reading.



**SB 71**, establishing a committee to study the use and misuse of prescription drugs in workers' compensation cases. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Donald L. LeBrun for the Majority of Health, Human Services and Elderly Affairs: This bill establishes a committee to study the extent of misuse and abuse of opiates and other commonly abused prescription medications by injured workers and the direct and/or indirect social and economic costs of such misuse. The amendment requires that one of the House Committee members be from the Labor, Industrial and Rehabilitative Services and one member from the Health, Human Services and Elderly Affairs. Vote 13-4.

Rep. Richard E. Meaney for the Minority of Health, Human Services and Elderly Affairs: New Hampshire already has a statewide task force addressing the issue of prescription drug abuse, so this bill is unnecessary. Further, this bill singles out injured people on the workers compensation program and does not address other users or potential users of prescribed medications. The bill does not guarantee privacy or confidentiality of patient information, either individually or in aggregate. Privacy laws may even prevent the proposed study committee from having access to data and records needed to address this issue.

### **Majority Amendment (1228h)**

Amend subparagraph I(b) of section 2 of the bill by replacing it with the following:

(b) Three members of the house of representatives, one of whom shall be a member of the health, human services and elderly affairs committee and one of whom shall be a member of the labor, industrial and rehabilitative services committee, appointed by the speaker of the house of representatives.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Meaney spoke against and yielded to questions.

Rep. LeBrun spoke in favor.

On a division vote, 193 members having voted in the affirmative and 145 in the negative, the majority committee report was adopted and ordered to third reading.

**SB 83**, relative to the controlled drug prescription health and safety program. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill moves New Hampshire closer to the implementation of a prescription monitoring program. The legislature finally passed a bill in 2012 that would make NH the 49th state to authorize such a program. The program will be a small step towards managing a rampant prescription drug abuse problem more effectively. SB 83 removes the sunset provision from the law that was passed last year which will increase the likelihood that New Hampshire will get a federal grant to jump start the program. In addition, the audit of the program to be done by the office of the Legislative Budget Assistant is moved out from 2014 to 2017. Lastly, a representative from the New Hampshire Hospital Association is added to the advisory committee. Vote 17-0.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

### **YEAS 238 NAYS 105**

#### **YEAS 238**

#### **BELKNAP**

Burchell, Richard  
Gulick, Ruth

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

#### **CARROLL**

Butler, Edward  
Morrow, Harry  
Umberger, Karen

Chandler, Gene  
Nelson, Bill  
White, Syndi

Crawford, Karel  
Schmidt, Stephen

Lavender, Tom  
Ticehurst, Susan

#### **CHESHIRE**

Ames, Richard  
Chase, Cynthia

Berch, Paul  
Eaton, Daniel

Burridge, Delmar  
Emerson, Susan

Butynski, William  
Hunt, John

Johnsen, Gladys  
Roberts, Kris  
Weed, Charles

Ley, Douglas  
Robertson, Timothy  
Young, Harry

Mann, John  
Sad, Tara

Phillips, Larry  
Shepardson, Marjorie

## COOS

Coulombe, Gary  
Theberge, Robert

Enman, Larry  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

## GRAFTON

Aguiar, James  
Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew

## HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Gorman, Mary  
Haefner, Robert  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Pellegrino, Tony  
Rosenwald, Cindy  
Soucy, Timothy  
Sullivan, Peter  
Williams, Kermit

Beaulieu, Jane  
Campbell, David  
Cote, David  
Eaton, Richard  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Jeu, Jean  
LeBrun, Donald  
MacKay, Mariellen  
Nelson, Mary  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Takesian, Charlene  
Woodbury, David

Belanger, James  
Carroll, Douglas  
Culbert, Patrick  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Katsiantonis, Thomas  
Leishman, Peter  
Manley, Jonathan Sr  
O'Neil, William  
Ramsey, Peter  
Shattuck, Gilman  
Stroud, Kathleen  
Vail, Suzanne

Booras, Efsthia  
Chandley, Shannon  
Danielson, David  
Gagne, Larry  
Goley, Jeffrey  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Martel, Andre  
Palangas, Eric  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

## MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Hess, David  
Kelly, Sally  
MacKay, James  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Rice, Chip  
Shurtleff, Stephen  
Walz, Mary Beth

## ROCKINGHAM

Abrami, Patrick  
Burtis, Elizabeth  
Copeland, Timothy  
Fesh, Robert  
Helmstetter, Barbara  
Mann, Maureen  
Moody, Marcia  
Peckham, Michele  
Sanders, Elisabeth  
Thompson, David  
Whittemore, Lisa

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
DeSimone, Debra  
Flockhart, Eileen  
Lovejoy, Patricia  
McKinney, Betsy  
Muns, Chris  
Perkins, Amy  
Sapareto, Frank  
Till, Mary

Borden, David  
Cali-Pitts, Jacqueline  
Devine, James  
Griffin, Mary  
Lundgren, David  
McMahon, Charles  
Oigny, Jeffrey  
Perkins, Lawrence  
Schlachman, Donna  
Ward, Gerald

Briden, Steven  
Charron, Gene  
Emerson-Brown, Rebecca  
Heffron, Frank  
Major, Norman  
Milz, David  
Pantelakos, Laura  
Priestley, Anne  
Sweeney, Joe  
Wazlaw, Brian

**STRAFFORD**

Baber, William  
Ginsburg, Philip  
Hubbard, Pamela  
Menear, H. Robert III  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Verschuieren, James

Burdwood, Greg  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Burke, Rachel  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip

**NAYS 105****BELKNAP**

Comtois, Guy  
Holmes, Stephen  
Worsman, Colette

Cormier, Jane  
Luther, Robert

Fink, Charles  
Sylvia, Michael

Greemore, Robert Jr  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher

Buco, Thomas

Cordelli, Glenn

Wright, Donald

**CHESHIRE**

Parkhurst, Henry

**COOS**

Rappaport, Laurence

**GRAFTON**

Bailey, Brad

Gionet, Edmond

**HILLSBOROUGH**

Barry, Richard  
Cebrowski, John  
Flanagan, Jack  
Hinch, Richard  
Marston, Dick  
Notter, Jeanine  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Vaillancourt, Steve  
Winters, Joel

Boehm, Ralph  
Christiansen, Lars  
Garcia, Michael  
Kurk, Neal  
Meaney, Richard  
O'Brien, William  
Palmer, Stephen  
Renzullo, Andrew  
Souza, Kathleen  
Villeneuve, Moe

Burt, John  
Coffey, James  
Hansen, Peter  
Lambert, George  
Murotake, David  
O'Flaherty, Tim  
Parison, James  
Rowe, Robert  
Straight, Philip  
Warden, Mark

Byron, Frank  
Daniels, Gary  
Hikel, John  
LeVasseur, Richard  
Murphy, Keith  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Sweeney, Shawn  
Willette, Robert

**MERRIMACK**

Hoell, J.R.  
Smith, Todd

McGuire, Carol  
Walsh, Thomas IV

McGuire, Dan

Reed, Dennis

**ROCKINGHAM**

Allen, Mary  
Bishop, Franklin  
Dumaine, Dudley  
Garcia, Marilinda  
Harris, Jeffrey  
Kappler, Lawrence  
St.James, Kevin  
Tucker, Pamela

Baldasaro, Alfred  
Chirichiello, Brian  
Emerick, J. Tracy  
Gordon, Richard  
Hayes, Jack  
Kolodziej, Walter  
Sytek, John  
Waterhouse, Kevin

Belanger, Ronald  
Comerford, Timothy  
Ferrante, Beverly  
Grace, Curtis  
Hodgdon, Bruce  
Rice, Frederick  
Tamburello, Daniel  
Webb, James Sr

Bick, Patrick  
Danais, Romeo  
Garcia, Bianca  
Hagan, Joseph  
Itse, Daniel  
Sedensky, John  
Tremblay, Stella  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Pitre, Joseph

Bickford, David  
Jones, Laura

Gardner, Janice  
Mullen, John Jr

Gray, James  
Parsons, Robbie

**SULLIVAN**

None

and the committee report was adopted and ordered to third reading.

**SB 146-FN-L**, relative to aid to the permanently and totally disabled and old age assistance. **OUGHT TO PASS.**

Rep. Thomas M. Sherman for Health, Human Services and Elderly Affairs: Under current law, persons receiving benefits via old age assistance (OAA) or aid to the permanently and totally disabled (ATPD) are prohibited from any other relief from the state or local governments. This prohibition is unique to this population and functions as a "Catch 22" for participants in these programs whose needs outstrip their program stipend. This enabling legislation lifts this prohibition, allowing but not requiring the state and municipalities to provide assistance as needed beyond that provided through OAA or ATPD grants. Vote 16-1.

On a division vote, 297 members having voted in the affirmative and 46 in the negative, the committee report was adopted.

Referred to the Committee on Municipal and County Government.

**SB 60**, relative to assisted living facilities and landlord tenant law. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sylvia E. Gale for the Majority of Judiciary: This bill would exclude assisted living facilities and community residences for the developmentally disabled and chronically ill from the definition of tenants for purposes of landlord/tenant law. The committee heard testimony from a number of providers as well as consumers of assisted living facilities and all testimony was in favor of the bill's passage. The committee was advised that efforts are near completion to revamp and revise RSA 151 specific to the licensing and regulation of all "residential care" facilities and "supported-residential care" facilities, which will provide clarification and further assign licensing responsibilities over "assisted living" and other care facilities. The majority of the committee agreed that removing these residents from the jurisdiction of laws pertaining to landlords and tenants is an important step toward affording these residents optimal care and protection in their current supported living environments. Vote 13-6.

Rep. Michael J. Sylvia for the Minority of Judiciary: This bill cobbles together a solution to a problem which the minority feels would be better addressed at the root cause. If passed, this issue of "assisted living" lacking a proper definition and being handled under the proper statute will still need to be addressed. This bill may do as intended but it may also introduce unexpected problems. Majority committee report adopted and ordered to third reading.

**SB 96**, relative to vexatious litigants. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Robert H. Rowe for the Majority of Judiciary: This bill was promoted into legislation by a citizen who had been subjected to vicious, repetitive and non-meritorious law suits in both state and federal courts. The suits were instituted by one individual. The purpose of this bill was to stop such frivolous law suits, although they are rare. The majority of the committee was sympathetic to the goal of the bill, but voted inexpedient to legislate for a number of reasons. First, the courts and judges in both federal and state courts currently have extensive power to discourage and penalize such law suits through financial penalties and the contempt process. Second, it might lessen the power judges currently have. Third, portions of the bill were considered to be in violation of Part I, Article 14 of the New Hampshire constitution. Vote 11-8.

Rep. Frank H. Heffron for the Minority of Judiciary: This bill would address the problem of frivolous lawsuits initiated for the primary purpose of harassment. It would require that a person found by a judge to have filed such a suit three or more times may be required to retain an attorney or other person of good character, in subsequent actions, or post a bond to cover attorney's fees and anticipated damages. The minority acknowledges that this bill is far from perfect, but nevertheless considers that its passage would be a step in the right direction toward correcting a problem that inflicts serious damage to those who are sued without good reason.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
Rep. Berch moved Recommit.

Rep. Rowe spoke against.

Reps. Berch and Vaillancourt spoke in favor.

On a division vote, 280 members having voted in the affirmative and 67 in the negative, the motion was adopted.

Recommitted to the Committee on Judiciary.

**SB 106**, relative to confidentiality in adult guardianship cases. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Paul L. Hackel for the Majority of Judiciary: RSA 464-A:8, VI specifies that all court records should be confidential only to the extent as they directly relate to alleged specific functional limitations of the proposed ward. This bill eliminates the limitation of the confidentiality because the committee felt that it would be extremely difficult to eliminate sections of the records. The supreme court requested this change. The committee supported this change by strong bi-partisan support. Vote 18-1.

Rep. Michael J. Sylvia for the Minority of Judiciary: This bill commands the court shall make records, reports and evidence confidential. In the opinion of the minority the command ought to be the more permissive "may" in place of "shall."

Majority committee report was adopted and ordered to third reading.

**SB 108**, relative to the liability of landowners who permit use of their land for recreational activities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Joseph M. Hagan for Judiciary: This bill would extend that no cause of action for injury be allowed to persons building or maintaining recreational activity sites on private lands allowed by the owner for public use. The present law only covers the owners of such property for injuries to recreational users. Vote 15-4.

#### Amendment (1289h)

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Landowner Liability; Duty of Care. Amend RSA 212:34 by inserting after paragraph II the following new paragraph:

II-a. Except as provided in paragraph V, a landowner who permits the use of his or her land for outdoor recreational activity pursuant to this section and who does not charge a fee or seek any other consideration in exchange for allowing such use, owes no duty of care to persons on the premises who are engaged in the construction, maintenance, or expansion of trails or ancillary facilities for outdoor recreational activity.

3 Landowner Liability; Duty of Care. Amend RSA 212:34, VI to read as follows:

VI. Except as provided in paragraph V, no cause of action shall exist for a person injured using the premises as provided in paragraph II, *engaged in the construction, maintenance, or expansion of trails or ancillary facilities as provided in paragraph II-a*, or given permission as provided in paragraph III.

4 Effective Date. This act shall take effect January 1, 2014.

#### AMENDED ANALYSIS

This bill provides that, with limited exceptions, landowners who permit the use of their land for outdoor recreational activity owe no duty of care to individuals engaged in the construction, maintenance, or expansion of trails or ancillary facilities for such activity.

Amendment adopted.

Committee report adopted and ordered to third reading.

**SB 187**, posthumously emancipating enslaved Africans in New Hampshire. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Peter M. Sullivan for Judiciary: In 1779, twenty African slaves from Portsmouth petitioned the New Hampshire General Court for their freedom. Sadly, our predecessors chose not to honor their request. The committee believes that the time to honor the rights of these courageous men has come. As they stated in their petition, "freedom is an inherent right of the human species, not to be surrendered." We agree, and unanimously support the tragically late emancipation of these New Hampshire heroes. Vote 18-0.

**Amendment (1275h)**

Amend the bill by replacing section 2 with the following:

2 Emancipation. The following men are hereby declared emancipated freed men in gratitude for their service to the colonial foundations of New Hampshire:

Samuel Wentworth	Winsor Moffatt
Cato Warner	Garrett Colton
Kittindge Tuckerman	Peter Frost
Seneca Hall	Nero Brewster
Pharoah Rogers	Quam Sherburne
Cato Newmarch	Will Clarkson
Zebulon Gardner	Cipio Hubbard

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Reps. Groen, Pantelakos, Cali-Pitts, Levesque, Peter Sullivan and Jeudy spoke in favor. Rep. Marjorie Smith spoke in favor and yielded to questions. Rep. Levesque requested a roll call; sufficiently seconded.

**YEAS 344 NAYS 2****YEAS 344****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	DiMartino, Lisa
Fields, Dennis	Fink, Charles	Flanders, Donald	Greemore, Robert Jr
Gulick, Ruth	Holmes, Stephen	Huot, David	Luther, Robert
Raymond, Ian	Tilton, Franklin	Vadney, Herbert	Worsman, Colette

**CARROLL**

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Cordelli, Glenn	Crawford, Karel	Lavender, Tom	McConkey, Mark
Morrow, Harry	Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	White, Syndi	Wright, Donald	

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Ley, Douglas	Mann, John	Parkhurst, Henry
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Weber, Lucy	Weed, Charles	Young, Harry

**COOS**

Coulombe, Gary	Enman, Larry	Hatch, William	Moynihan, Wayne
Rappaport, Laurence	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

**GRAFTON**

Aguiar, James	Almy, Susan	Bailey, Brad	Benn, Bernard
Bradley, Lester	Brown, Rebecca	Cooney, Mary	Doolan, Ralph Jr
Ford, Susan	Friedrich, Carol	Gionet, Edmond	Harding, Laurie
Ladd, Rick Jr	Lauer, Linda	Lovett, Sid	Massimilla, Linda
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy
Reilly, Harold Sr	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Belanger, James
Boehm, Ralph	Booras, Efstathia	Brown, Pamela	Burt, John
Byron, Frank	Campbell, David	Carroll, Douglas	Cebrowski, John

Chandlee, Shannon  
 Cote, David  
 DiSilvestro, Linda  
 Gagne, Larry  
 Gidge, Kenneth  
 Graham, John  
 Hansen, Peter  
 Hinch, Richard  
 Knowles, Mary Ann  
 Leishman, Peter  
 MacKay, Mariellen  
 McNamara, Richard  
 Nelson, Mary  
 Ober, Lynne  
 Pellegrino, Tony  
 Ramsey, Peter  
 Rowe, Robert  
 Shattuck, Gilman  
 Spratt, Stephen  
 Sullivan, Peter  
 Villeneuve, Moe  
 Williams, Kermit

Christiansen, Lars  
 Culbert, Patrick  
 Eaton, Richard  
 Gale, Sylvia  
 Goley, Jeffrey  
 Hackel, Paul  
 Harriott-Gathright, Linda  
 Jack, Martin  
 Kopka, Angeline  
 LeVasseur, Richard  
 Manley, Jonathan Sr  
 Meaney, Richard  
 Notter, Jeanine  
 Palangas, Eric  
 Peterson, Lenette  
 Renzullo, Andrew  
 Sanborn, Laurie  
 Shaw, Barbara  
 Straight, Philip  
 Takesian, Charlene  
 Walsh, Robert Jr  
 Winters, Joel

Coffey, James  
 Daniels, Gary  
 Flanagan, Jack  
 Garcia, Michael  
 Gorman, Mary  
 Haefner, Robert  
 Heden, Ruth  
 Jeudy, Jean  
 Lambert, George  
 Levesque, Melanie  
 Marston, Dick  
 Murotake, David  
 O'Flaherty, Tim  
 Palmer, Stephen  
 Porter, Marjorie  
 Rhodes, Brian  
 Sandblade, Emily  
 Soucy, Timothy  
 Stroud, Kathleen  
 Vail, Suzanne  
 Warden, Mark  
 Woodbury, David

Connor, Evelyn  
 Danielson, David  
 Gage, Ruth  
 Gargas, Carolyn  
 Grady, Brenda  
 Hansberry, Daniel  
 Hikel, John  
 Katsiantonis, Thomas  
 LeBrun, Donald  
 Long, Patrick  
 Martel, Andre  
 Murphy, Keith  
 O'Neil, William  
 Parison, James  
 Pratt, Calvin  
 Rosenwald, Cindy  
 Schmidt, Janice  
 Souza, Kathleen  
 Sullivan, Daniel  
 Vaillancourt, Steve  
 Willette, Robert

## MERRIMACK

Alicea, Caroletta  
 Carson, Clyde  
 Frazer, June  
 Hess, David  
 Karrick, David Jr  
 Lockwood, Priscilla  
 Moffett, Howard  
 Richardson, Gary  
 Shurtleff, Stephen  
 Wallner, Mary Jane  
 Webb, Leigh

Bartlett, Christy  
 Davis, Frank  
 French, Barbara  
 Hirsch, Geoffrey  
 Kelly, Sally  
 MacKay, James  
 Ratzki, Mario  
 Rogers, Katherine  
 Smith, Todd  
 Walsh, Thomas IV

Bouchard, Candace  
 Ebel, Karen  
 Gile, Mary  
 Hoell, J.R.  
 Kidder, David  
 McGuire, Carol  
 Reed, Dennis  
 Schamberg, Thomas  
 Tilton, Joy  
 Walz, Mary Beth

Carey, Lorrie  
 Frambach, Mary  
 Henle, Paul  
 Hunt, Jane  
 Kotowski, Frank  
 McGuire, Dan  
 Rice, Chip  
 Schuett, Dianne  
 Turcotte, Alan  
 Watrous, Rick

## ROCKINGHAM

Abrami, Patrick  
 Belanger, Ronald  
 Borden, David  
 Cali-Pitts, Jacqueline  
 Copeland, Timothy  
 Dumaine, Dudley  
 Fesh, Robert  
 Gordon, Richard  
 Harris, Jeffrey  
 Hodgdon, Bruce  
 Kolodziej, Walter  
 Mann, Maureen  
 Moody, Marcia  
 Peckham, Michele  
 Rice, Frederick  
 Schroadter, Adam  
 Sytek, John  
 Tremblay, Stella  
 Wazlaw, Brian

Allen, Mary  
 Bick, Patrick  
 Briden, Steven  
 Charron, Gene  
 Danais, Romeo  
 Emerick, J. Tracy  
 Flockhart, Eileen  
 Grace, Curtis  
 Hayes, Jack  
 Hoelzel, Kathleen  
 Lovejoy, Patricia  
 McKinney, Betsy  
 Muns, Chris  
 Perkins, Amy  
 Sanders, Elisabeth  
 Sedensky, John  
 Tamburello, Daniel  
 Tucker, Pamela  
 Webb, James Sr

Andrews-Ahearn, E. Elaine  
 Birdsell, Regina  
 Burtis, Elizabeth  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerson-Brown, Rebecca  
 Garcia, Bianca  
 Griffin, Mary  
 Heffron, Frank  
 Itse, Daniel  
 Lundgren, David  
 McMahon, Charles  
 Oigny, Jeffrey  
 Perkins, Lawrence  
 Sapareto, Frank  
 St.James, Kevin  
 Thompson, David  
 Ward, Gerald  
 Weyler, Kenneth

Baldasaro, Alfred  
 Bishop, Franklin  
 Cahill, Michael  
 Comerford, Timothy  
 Devine, James  
 Ferrante, Beverly  
 Garcia, Marilinda  
 Hagan, Joseph  
 Helmstetter, Barbara  
 Kappler, Lawrence  
 Major, Norman  
 Milz, David  
 Pantelakos, Laura  
 Priestley, Anne  
 Schlachman, Donna  
 Sweeney, Joe  
 Till, Mary  
 Waterhouse, Kevin  
 Whittemore, Lisa

**STRAFFORD**

Baber, William	Beaudoin, Steven	Bickford, David	Bixby, Peter
Burdwood, Greg	Burke, Rachel	Gardner, Janice	Ginsburg, Philip
Grassie, Anne	Gray, James	Groen, Warren	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Jones, Laura	Kaen, Naida
Ketel, Stephen	Malloy, Dennis	Menear, H. Robert III	Mullen, John Jr
Parsons, Robbie	Pelletier, Marsha	Perry, Robert	Pitre, Joseph
Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Stevens, Audrey	Verschueren, James	Wall, Janet
Ward, Kenneth			

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Lefebvre, Benjamin	O’Hearne, Andrew	Rollins, Skip
Schmidt, Andrew	Smith, Steven	Sweeney, Cynthia	

**NAYS 2  
BELKNAP**

Sylvia, Michael

**CARROLL**

None

**CHESHIRE**

None

**COOS**

None

**GRAFTON**

Higgins, Patricia

**HILLSBOROUGH**

None

**MERRIMACK**

None

**ROCKINGHAM**

None

**STRAFFORD**

None

**SULLIVAN**

None  
and the committee report was adopted and ordered to third reading.

**BILLS REMOVED FROM THE CONSENT CALENDAR**

**SB 35**, relative to the master jury list. **OUGHT TO PASS WITH AMENDMENT.**  
Rep. Peter M. Sullivan for Judiciary: This bill revises New Hampshire’s law regarding the list used by the court system to develop jury pools. As the court system implements an electronic jury management system, changes were needed to protect the private information of New Hampshire residents. This bill is the product of a collaborative effort between the judicial branch, the secretary of state, and privacy advocates, and properly balances privacy and effective court management. Vote 19-0.

**Amendment (1263h)**

Amend the bill by replacing sections 1 and 2 with the following:



1 Jurors; Definitions; Master Jury List. RSA 500-A:1, IV is repealed and reenacted to read as follows:

IV. "Master jury list" means the list blended and compiled from the voter lists, which shall be provided by the secretary of state pursuant to RSA 654:45, VI on encrypted removable media, and from the official record of persons 18 years of age or older who hold a current New Hampshire driver's license or a department of safety identification card, which shall be provided by the department. Information contained in the master jury list shall be private and confidential and shall not be subject to RSA 91-A.

2 Preparation of Master Juror List. Amend RSA 500-A:2 to read as follows:

500-A:2 Preparation of Master Jury List. The office shall annually ~~[prepare and deliver]~~ *provide* to the clerk of court a master jury list for each county or judicial district thereof. A duplicate list shall be retained by the office. Voter lists and department of safety lists, as well as the master jury list, are confidential documents to be used by the office and the respective trial courts only for purposes of jury selection, *and shall contain only the names and addresses of persons listed; additional information, such as date of birth, shall be available to the office only for the purpose of resolving discrepancies in the information provided.*

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Kurk offered floor amendment (1341h).

#### Floor Amendment (1341h)

Amend the bill by replacing section 2 with the following:

2 Preparation of Master Juror List. Amend RSA 500-A:2 to read as follows:

500-A:2 Preparation of Master Jury List. The office shall annually ~~[prepare and deliver]~~ *provide* to the clerk of court a master jury list for each county or judicial district thereof. A duplicate list shall be retained by the office. Voter lists and department of safety lists, as well as the master jury list, are confidential documents to be used by the office and the respective trial courts only for purposes of jury selection. *Voter lists shall contain only the names and addresses of persons listed; additional information, such as date of birth, shall be available to the office only for the purpose of resolving discrepancies in the master jury list.*

Reps. Kurk, Marjorie Smith and Rowe spoke in favor.

Floor amendment (1341h) adopted.

Committee report adopted and ordered to third reading.

**SB 43**, relative to the property taxation of qualifying historic buildings. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bruce L. Tatro for Municipal and County Government: This bill enables towns and cities to appraise qualifying historic buildings at a reduced rate and tax the property at that reduced rate. This would encourage preservation of these historic buildings. Vote 16-0.

#### Amendment (1230h)

Amend RSA 79-G:2 as inserted by section 1 of the bill by replacing it with the following:

79-G:2 Adoption of this Chapter. A town or city may adopt the provisions of this chapter by vote of its legislative body using the following procedures:

I. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of the annual town meeting, by the governing body or by petition under RSA 39:3.

II. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation.

III. If a majority of those voting on the question vote "yes," the provisions of this chapter shall take effect within the town or city on the date set by the legislative body, or in the tax year beginning April 1 following its adoption, whichever shall occur first.

IV. A town or city may rescind the provisions of this chapter in the manner described in paragraphs I-III.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Warden spoke against.  
Reps. Porter and Frederick Rice spoke in favor and yielded to questions.  
Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 246 NAYS 101****YEAS 246****BELKNAP**

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Luther, Robert

Flanders, Donald  
Raymond, Ian

Gulick, Ruth  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
Ticehurst, Susan

Buco, Thomas  
McConkey, Mark  
Umberger, Karen

Butler, Edward  
Morrow, Harry  
White, Syndi

Chandler, Gene  
Schmidt, Stephen

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Roberts, Kris  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weed, Charles

Butynski, William  
Hunt, John  
Parkhurst, Henry  
Sad, Tara  
Young, Harry

**COOS**

Coulombe, Gary  
Richardson, Herbert

Enman, Larry  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew

Almy, Susan  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Christiansen, Lars  
Culbert, Patrick  
Flanagan, Jack  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Jeu, Jean  
Leishman, Peter  
Manley, Jonathan Sr  
Palangas, Eric  
Rhodes, Brian  
Shattuck, Gilman  
Stroud, Kathleen  
Vail, Suzanne

Beaulieu, Jane  
Campbell, David  
Coffey, James  
Danielson, David  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Katsiantonis, Thomas  
Levesque, Melanie  
Martel, Andre  
Pellegrino, Tony  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

Belanger, James  
Cebrowski, John  
Connor, Evelyn  
DiSilvestro, Linda  
Gagne, Larry  
Goley, Jeffrey  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Rowe, Robert  
Soucy, Timothy  
Sullivan, Peter  
Williams, Kermit

Booras, Efstathia  
Chandley, Shannon  
Cote, David  
Eaton, Richard  
Gale, Sylvia  
Gorman, Mary  
Haefner, Robert  
Jack, Martin  
Kopka, Angeline  
MacKay, Mariellen  
O'Neil, William  
Ramsey, Peter  
Schmidt, Janice  
Spratt, Stephen  
Takesian, Charlene  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde

Bartlett, Christy  
Davis, Frank

Bouchard, Candace  
Ebel, Karen

Carey, Lorrie  
Frambach, Mary

Frazer, June  
Hess, David  
Kelly, Sally  
MacKay, James  
Rice, Chip  
Shurtleff, Stephen  
Wallner, Mary Jane  
Webb, Leigh

French, Barbara  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Richardson, Gary  
Smith, Todd  
Walsh, Thomas IV

Gile, Mary  
Hunt, Jane  
Kotowski, Frank  
Ratzki, Mario  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

Henle, Paul  
Karrick, David Jr  
Lockwood, Priscilla  
Reed, Dennis  
Schuett, Dianne  
Turcotte, Alan  
Watrous, Rick

## ROCKINGHAM

Abrami, Patrick  
Borden, David  
Cali-Pitts, Jacqueline  
Devine, James  
Griffin, Mary  
Hoelzel, Kathleen  
Milz, David  
Pantelakos, Laura  
Sanders, Elisabeth  
Sedensky, John  
Weyler, Kenneth

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Charron, Gene  
Emerson-Brown, Rebecca  
Hayes, Jack  
Lovejoy, Patricia  
Moody, Marcia  
Peckham, Michele  
Sapareto, Frank  
Sweeney, Joe  
Whittemore, Lisa

Belanger, Ronald  
Burtis, Elizabeth  
Copeland, Timothy  
Ferrante, Beverly  
Heffron, Frank  
Mann, Maureen  
Muns, Chris  
Priestley, Anne  
Schlachman, Donna  
Tremblay, Stella

Birdsell, Regina  
Cahill, Michael  
DeSimone, Debra  
Flockhart, Eileen  
Helmstetter, Barbara  
McKinney, Betsy  
Oigny, Jeffrey  
Rice, Frederick  
Schroadter, Adam  
Waterhouse, Kevin

## STRAFFORD

Baber, William  
Gardner, Janice  
Hubbard, Pamela  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Bickford, David  
Ginsburg, Philip  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Burdwood, Greg  
Grassie, Anne  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith  
Ward, Kenneth

Burke, Rachel  
Hooper, Dorothea  
Menear, H. Robert III  
Rollo, Deanna  
Stevens, Audrey

## SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
O'Heame, Andrew

Grenier, James  
Schmidt, Andrew

Irwin, Virginia  
Smith, Steven

## NAYS 101

## BELKNAP

Burchell, Richard  
Greemore, Robert Jr  
Worsman, Colette

Comtois, Guy  
Holmes, Stephen

Cormier, Jane  
Sylvia, Michael

Fink, Charles  
Vadney, Herbert

## CARROLL

Cordelli, Glenn

Crawford, Karel

Nelson, Bill

Wright, Donald

## CHESHIRE

None

## COOS

Rappaport, Laurence

## GRAFTON

Bailey, Brad

## HILLSBOROUGH

Barry, Richard  
Carroll, Douglas  
Hikel, John

Boehm, Ralph  
Daniels, Gary  
Hinch, Richard

Burt, John  
Garcia, Michael  
Kurk, Neal

Byron, Frank  
Hansen, Peter  
Lambert, George

LeBrun, Donald  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Renzullo, Andrew  
Vaillancourt, Steve  
Winters, Joel

LeVasseur, Richard  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Sandblade, Emily  
Villeneuve, Moe

Marston, Dick  
Nelson, Mary  
Ober, Lynne  
Peterson, Lenette  
Souza, Kathleen  
Warden, Mark

Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Pratt, Calvin  
Straight, Philip  
Willette, Robert

### MERRIMACK

Hoell, J.R.

McGuire, Carol

McGuire, Dan

Schamberg, Thomas

### ROCKINGHAM

Allen, Mary  
Comerford, Timothy  
Emerick, J. Tracy  
Gordon, Richard  
Hodgdon, Bruce  
Major, Norman  
St.James, Kevin  
Till, Mary  
Webb, James Sr

Baldasaro, Alfred  
Danais, Romeo  
Fesh, Robert  
Grace, Curtis  
Itse, Daniel  
McMahon, Charles  
Sytek, John  
Tucker, Pamela

Bick, Patrick  
Duarte, Joe  
Garcia, Bianca  
Hagan, Joseph  
Kappler, Lawrence  
Perkins, Amy  
Tamburello, Daniel  
Ward, Gerald

Chirichiello, Brian  
Dumaine, Dudley  
Garcia, Marilinda  
Harris, Jeffrey  
Kolodziej, Walter  
Perkins, Lawrence  
Thompson, David  
Wazlaw, Brian

### STRAFFORD

Beaudoin, Steven  
Horrigan, Timothy  
Parsons, Robbie

Bixby, Peter  
Jones, Laura  
Pitre, Joseph

Gray, James  
Ketel, Stephen

Groen, Warren  
Mullen, John Jr

### SULLIVAN

Gagnon, Raymond Rollins, Skip  
and the committee report was adopted and ordered to third reading.

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Peter Sullivan moved that the House reconsider its action whereby, on a roll call vote of 344-2, it adopted the committee report of Ought to Pass with Amendment on **SB 187**, posthumously emancipating enslaved Africans in New Hampshire.

Rep. Peter Sullivan spoke in favor.

Rep. Burke requested a roll call; not sufficiently seconded.

On a division vote, 255 members having voted in the affirmative and 79 in the negative, the motion was adopted.

### CONSIDERATION OF SB 187

The question being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Porter requested a roll call; sufficiently seconded.

### YEAS 336 NAYS 0

#### YEAS 336

#### BELKNAP

Burchell, Richard  
Fields, Dennis  
Gulick, Ruth  
Syivia, Michael

Comtois, Guy  
Fink, Charles  
Holmes, Stephen  
Tilton, Franklin

Cormier, Jane  
Flanders, David  
Huot, David  
Vadney, Herbert

DiMartino, Lisa  
Greemore, Robert Jr  
Raymond, Ian  
Worsman, Colette

#### CARROLL

Ahlgren, Christopher  
Crawford, Karel  
Nelson, Bill  
White, Syndi

Buco, Thomas  
Lavender, Tom  
Schmidt, Stephen  
Wright, Donald

Butler, Edward  
McConkey, Mark  
Ticehurst, Susan

Cordelli, Glenn  
Morrow, Harry  
Umberger, Karen

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Phillips, Larry  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Young, Harry

Butynski, William  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Rappaport, Laurence

Enman, Larry  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew

Bailey, Brad  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Byron, Frank  
Chandlee, Shannon  
Cote, David  
DiSilvestro, Linda  
Gagne, Larry  
Gidge, Kenneth  
Graham, John  
Hansen, Peter  
Hinch, Richard  
Knowles, Mary Ann  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
Nelson, Mary  
Palangas, Eric  
Peterson, Lenette  
Renzullo, Andrew  
Sandblade, Emily  
Soucy, Timothy  
Stroud, Kathleen  
Vail, Suzanne  
Warden, Mark  
Woodbury, David

Barry, Richard  
Booras, Efstathia  
Campbell, David  
Christiansen, Lars  
Culbert, Patrick  
Eaton, Richard  
Gale, Sylvia  
Goley, Jeffrey  
Hackel, Paul  
Harriott-Gathright, Linda  
Jack, Martin  
Kopka, Angeline  
LeVasseur, Richard  
Manley, Jonathan Sr  
Meane, Richard  
Notter, Jeanine  
Palmer, Stephen  
Porter, Marjorie  
Rhodes, Brian  
Schmidt, Janice  
Souza, Kathleen  
Sullivan, Daniel  
Vaillancourt, Steve  
Willette, Robert

Beaulieu, Jane  
Brown, Pamela  
Carroll, Douglas  
Coffey, James  
Daniels, Gary  
Flanagan, Jack  
Garcia, Michael  
Gorman, Mary  
Haefner, Robert  
Heden, Ruth  
Jeudy, Jean  
Lambert, George  
Levesque, Melanie  
Marston, Dick  
Murotake, David  
O'Flaherty, Tim  
Parison, James  
Pratt, Calvin  
Rosenwald, Cindy  
Shattuck, Gilman  
Spratt, Stephen  
Sullivan, Peter  
Villeneuve, Moe  
Williams, Kermit

Belanger, James  
Burt, John  
Cebrowski, John  
Connor, Evelyn  
Danielson, David  
Gage, Ruth  
Gargas, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Hikel, John  
Katsiantonis, Thomas  
LeBrun, Donald  
Long, Patrick  
Martel, Andre  
Murphy, Keith  
O'Neil, William  
Pellegrino, Tony  
Ramsey, Peter  
Rowe, Robert  
Shaw, Barbara  
Straight, Philip  
Takesian, Charlene  
Walsh, Robert Jr  
Winters, Joel

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Hess, David  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kelly, Sally  
McGuire, Carol  
Reed, Dennis  
Schamberg, Thomas  
Turcotte, Alan  
Watrous, Rick

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Hoell, J.R.  
Kotowski, Frank  
McGuire, Dan  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Hunt, Jane  
Lockwood, Priscilla  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Andrews-Ahearn, E. Elaine	Baldasaro, Alfred
Belanger, Ronald	Bick, Patrick	Birdsell, Regina	Borden, David
Briden, Steven	Burtis, Elizabeth	Cahill, Michael	Cali-Pitts, Jacqueline
Charron, Gene	Chirichiello, Brian	Comerford, Timothy	Copeland, Timothy
Danaïs, Romeo	DeSimone, Debra	Devine, James	Duarte, Joe
Dumaine, Dudley	Emerick, J. Tracy	Emerson-Brown, Rebecca	Ferrante, Beverly
Fesh, Robert	Flockhart, Eileen	Garcia, Bianca	Garcia, Marilinda
Gordon, Richard	Grace, Curtis	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Hayes, Jack	Heffron, Frank	Helmstetter, Barbara
Hodgdon, Bruce	Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence
Lovejoy, Patricia	Major, Norman	Mann, Maureen	McKinney, Betsy
Milz, David	Moody, Marcia	Muns, Chris	Oigny, Jeffrey
Pantelakos, Laura	Peckham, Michele	Perkins, Amy	Perkins, Lawrence
Priestley, Anne	Rice, Frederick	Sanders, Elisabeth	Sapareto, Frank
Schlachman, Donna	Schroadter, Adam	Sedensky, John	St.James, Kevin
Sweeney, Joe	Sytek, John	Tamburello, Daniel	Thompson, David
Till, Mary	Tremblay, Stella	Tucker, Pamela	Ward, Gerald
Waterhouse, Kevin	Wazlaw, Brian	Webb, James Sr	Weyler, Kenneth
Whittemore, Lisa			

**STRAFFORD**

Baber, William	Beaudoin, Steven	Bickford, David	Bixby, Peter
Burdwood, Greg	Burke, Rachel	Gardner, Janice	Ginsburg, Philip
Grassie, Anne	Gray, James	Groen, Warren	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Jones, Laura	Kaen, Naida
Ketel, Stephen	Malloy, Dennis	Menear, H. Robert III	Mullen, John Jr
Parsons, Robbie	Pelletier, Marsha	Perry, Robert	Pitre, Joseph
Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter	Smith, Marjorie
Spang, Judith	Stevens, Audrey	Verschueren, James	Wall, Janet
Ward, Kenneth			

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Lefebvre, Benjamin	O'Hearne, Andrew	Rollins, Skip
Schmidt, Andrew	Smith, Steven	Sweeney, Cynthia	

**NAYS 0****BELKNAP**

None

**CARROLL**

None

**CHESHIRE**

None

**COOS**

None

**GRAFTON**

None

**HILLSBOROUGH**

None

**MERRIMACK**

None

**ROCKINGHAM**

None

**STRAFFORD**

None

**SULLIVAN**

None

and the committee report was adopted and ordered to third reading.

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, May 8, 2013 at 10:00 a.m.

Adopted.

**LATE SESSION****Third reading and final passage**

**SB 52**, relative to names of limited partnerships.

**SB 127-FN**, relative to registration of certain state contracts with the department of state and repealing the information practices act.

**SB 161**, relative to electronic funds transfers.

**SB 81**, authorizing phlebotomists to withdraw blood for alcohol concentration tests.

**SB 33**, making technical changes to the judicial retirement plan.

**SB 42**, relative to applications for licensure by the real estate appraisers board.

**SB 54**, relative to appeals from the department of administrative services bureau of public works design and construction.

**SB 93**, relative to plumbers and mechanical contractors on state boards.

**SB 28**, relative to the department of transportation inventory fund and relative to the effective date of the transfer of the electricians' board to the joint board for licensure and certification.

**SB 34**, relative to the appointment of bail commissioners.

**SB 68**, relative to the escrow fund for court facility improvements.

**SB 69**, relative to superior court jurisdiction over domestic violence petitions.

**SB 105**, relative to disclosure of expert testimony in civil cases and relative to the recording of depositions.

**SB 107**, relative to probate administration.

**SB 2**, relative to the calculation of the local tax cap.

**SB 12**, relative to protection and preservation of significant archeological deposits.

**SB 62**, authorizing the placement of a certain sign in the town of Danbury.

**SB 80**, relative to expanding the community revitalization tax relief program to provide incentives for rehabilitating historic structures.

**SB 139-FN-L**, relative to mileage fees for sheriffs and deputy sheriffs.

**SB 157-FN**, establishing a New Hampshire disaster relief fund.

**SB 71**, establishing a committee to study the use and misuse of prescription drugs in workers' compensation cases.

**SB 83**, relative to the controlled drug prescription health and safety program.

**SB 60**, relative to assisted living facilities and landlord tenant law.

**SB 106**, relative to confidentiality in adult guardianship cases.

**SB 108**, relative to the liability of landowners who permit use of their land for recreational activities.

**SB 187**, posthumously emancipating enslaved Africans in New Hampshire.

**SB 35**, relative to the master jury list.

**SB 43**, relative to the property taxation of qualifying historic buildings.

**UNANIMOUS CONSENT**

Speaker Norelli and Rep. Beaulieu addressed the House.

**RECESS MOTION**

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference.

Adopted.

The House recessed at 12:12 p.m.

**RECESS**

**(Rep. Weber in the Chair)**

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 157 and 486.

Rep. Shurtleff, Sen. Prescott for the Committee

**RECESS**

**(Rep. Shurtleff in the Chair)**

**ENROLLED BILL AMENDMENT**

**HB 509**, requiring the department of administrative services to provide the New Hampshire Department of American Legion with office space.

**Amendment (1363-EBA)**

Amend the title of the bill by replacing it with the following:

AN ACT requiring the department of administrative services to provide the American Legion Department of New Hampshire with office space.

Amend section 1 of the bill by replacing line 2 with the following:

American Legion Department of New Hampshire. Amend RSA 21-I:11 by inserting after paragraph Amend RSA 21-I:11, X-a as inserted by section 1 of the bill by replacing line 1 with the following:

X-a. Provide the American Legion Department of New Hampshire, a private nonprofit

Adopted.

**RECESS**

**(Rep. Jones in the Chair)**

**ENROLLED BILL AMENDMENTS**

**SB 105**, relative to disclosure of expert testimony in civil cases and relative to the recording of depositions. (Amendment printed SJ 5-2-13)

Adopted.

**SB 161**, relative to electronic funds transfers. (Amendment printed SJ 5-2-13)

Adopted.

**RECESS**

**(Rep. Shurtleff in the Chair)**

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 111, 112, 146, 147, 156, 180, 181, 182, 190, 202, 206, 216, 237, 267, 282, 293, 339, 349, 368, 372, 376, 416, 418, 428, 482, 509, 516, 517, 519, 560, 598, 629, 639 and 676 and Senate Bills numbered 62 and 74.

Rep. Shurtleff, Sen. Prescott for the Committee

**RECESS**



**(Rep. Horrigan in the Chair)**  
**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bills numbered 2, 12, 28, 34, 52, 60, 69, 80, 81, 83, 106, 107, 127 and 139.

Rep. Shurtleff, Sen. Prescott for the Committee

**SENATE MESSAGES**  
**CONCURRENCE**

**HB 178-FN-L**, relative to public employer collective bargaining agreements.

**HB 184-FN**, relative to the oil discharge cleanup fund.

**HB 211**, relative to service of demand for rent and eviction notice.

**HB 221**, relative to the duty of the long range capital planning and utilization committee.

**HB 328-FN**, relative to the sale of pets.

**HB 334-FN**, requiring pharmacy interns to register with the pharmacy board.

**HB 359**, relative to mailing of notices and determinations by the department of employment security.

**HB 367**, relative to the municipal bond bank reserve process.

**HB 374**, relative to electric utility investment in distributed energy resources.

**HB 375**, requiring certain health care organizations to report to the department of health and human services regarding implementation of New Hampshire's 10-year mental health plan.

**HB 393**, relative to effluent limitations with regard to nitrogen and phosphorus.

**HB 429**, relative to service of writs against cities.

**HB 432-FN**, relative to health care costs for county and state inmates.

**HB 440**, relative to new hire reports to the department of employment security.

**HB 510**, relative to backflow prevention valves.

**HB 535**, establishing the white potato as the state vegetable.

**HB 547**, establishing a commission to study permanent options for funding the veterinary diagnostic laboratory.

**HB 558**, relative to disclosure of information regarding charitable solicitations.

**HB 607**, relative to construction projects for the adjutant general's department.

**HB 648-FN**, permitting current marital masters to remain in office until retirement, resignation, disability, or nonrenewal of appointment.

**HB 652-FN**, relative to the judicial branch information technology fund.

**NONCONCURRENCE**

**HB 113**, relative to lot access for erection of buildings.

**HB 165**, establishing a committee to study the use of the sex offender registry.

**HB 167**, relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin.

**HB 316-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains.

**HB 362**, banning corn-based ethanol as an additive to gasoline sold in New Hampshire.

**HB 443-FN**, prohibiting prison privatization.

**HB 550**, relative to the disposition of state-owned real estate.

**HB 621-FN**, decriminalizing possession of one quarter of an ounce or less of marijuana.

**HB 633**, relative to prescription refills.

**HB 647-FN**, relative to appeals from the compensation appeals board.

**RE-REFERRED TO COMMITTEE**

**HB 118**, providing immunity from criminal prosecution for seeking medical assistance with an emergency drug or alcohol overdose event.

**HB 153**, prohibiting the designation of industrial hemp as a controlled substance.

**HB 346**, establishing a committee to study low-profit limited liability companies.

**HB 591**, relative to an abusive work environment and the health and safety of public employees.

**HB 624-FN**, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire.

**RECESS**

**(Speaker Norelli in the Chair)**

Rep. Shurtleff moved that the House adjourn.

Adopted.

## HOUSE JOURNAL No. 16

Wednesday, May 8, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

O God, we tend to seek You in the glamorous, the glorious, and the grandiose things in life: sunsets, glaciers, canyons and milky ways. And they are indeed reflections of Your infinite creativity. What we forget is that even the smallest moments, the most mundane of things are imbued with You. You are there with us in the car as we inch our way through traffic to get our kids to school or our parents to a doctor. You are there when we pause to take a deep breath when it's 11:30 at night and the dishes still aren't done and there are a pile of emails to respond to. You will be there when we ponder the wide-ranging scope of bills we need to deliberate on here today. Help us to remember: to remember the gift of an occasional pause; to remember the humanity, the aspirations, the losses and the beauty in each and every person here; to remember that what we do here is not merely about programs or projects, but about real people with real lives. Be with all in this body who are ill or facing surgery. And be especially with the people who live at the margins of our society: the homeless, the jobless, the lonely, the isolated, the maligned, the forgotten, and the disliked. Let our work today in some way lift them up. In Your Holy name we pray. Amen.

Representative James MacKay, member from Concord, led the Pledge of Allegiance.

The National Anthem was sung by Paige Bradley, a 14 year-old from Plymouth and the granddaughter of Rep. Bradley.

### LEAVES OF ABSENCE

Reps. Andrews, Beaudoin, Bishop, Boisvert, Booras, DeSimone, Harriott-Gathright, Nicholas Levasseur, McCarthy, Parsons, Chip Rice, Tanner and Thompson, the day, illness.

Reps. Andrews-Ahern, Azarian, Bailey, Dumaine, Henle, Kaen, Sally Kelly, Lerandau, McKinney, Pelletier, Ramsey, Jeffrey Shackett, Timothy Smith, Takesian, Tremblay, Thomas Walsh and Kenneth Ward, the day, important business.

Reps. Kelleigh Murphy and Thomas, the day, illness in the family.

Rep. James Webb, the day, death in the family.

### INTRODUCTION OF GUESTS

Sharon, Nathan and Cindy Bradley, A. J. Sousa and Annie Deppe; family and guests of Rep. Bradley and our singer. Fourth graders from the Epping Elementary School, guests of the Rockingham District 9 delegation. Suzanne Dakoulas, guest of Rep. Beaulieu. Arthur McDonald, son of Rep. Carol Williams. Charlie Bean, Jed and James Hounsell and The Honorable Mark Hounsell, former Senator from Conway, guests of Reps. Bucu and Umberger. Carol Appel, guest of the House.

Lee Nordyke of Campbell High School and Oscar Reid and Sarah Libby of Kearsarge Regional High School, Pages for the day.

### MEMORIAL DECLARATION

Dr. Kenneth I. Appel

October 8, 1932 – April 19, 2013

**WHEREAS**, it is with great reverence that the New Hampshire House of Representatives honors the life of Dr. Kenneth I. Appel of Dover; and

**WHEREAS**, Kenneth Appel, born in Brooklyn, New York, had a long and distinguished career as a world-renowned mathematician, in addition to being a beloved professor, Army veteran, community volunteer, and wonderful family man; and

**WHEREAS**, Kenneth Appel, having earned a Ph.D. in Mathematics from the University of Michigan in 1959, later became a math professor at the University of Illinois in Urbana; and

**WHEREAS**, in 1976, Dr. Appel collaborated with Dr. Wolfgang Haken to prove the long-held “four color” mathematical theorem that four colors are enough to fill in any map without any two regions of the same color touching; and

**WHEREAS**, this historical feat was accomplished by logging 1,200 hours on the University’s IBM 370-168 computer, forever changing the field of mathematics and resulting in Dr. Appel and Dr. Haken being awarded the Delbert Ray Fulkerson prize by the American Mathematical Society and the Mathematical Programming Society in 1979; and

**WHEREAS**, New Hampshire is privileged that Dr. Appel later moved to New Hampshire where he chaired the UNH Mathematics Department, retiring as Professor Emeritus in 2003; now therefore be it **DECLARED**, that the New Hampshire House of Representatives, by virtue of the Speaker’s signature inscribed below, extends its prayers and heartfelt sympathy to Dr. Appel’s wife Carole, his loving family, his former students and colleagues, and his multitude of friends.

Terie Norelli, Speaker of the House

Offered by the New Hampshire House of Representatives this 8<sup>th</sup> day of May, 2013.

### **MOMENT OF SILENCE**

A moment of silence was observed in memory of Dr. Kenneth I. Appel.

**(Rep. Daniel Eaton in the Chair)**

### **SENATE MESSAGES**

### **REQUESTS CONCURRENCE WITH AMENDMENTS**

**HB 232**, relative to the membership of the governor’s commission on alcohol and drug abuse prevention, intervention, and treatment. (Amendment printed SJ 4-18-13)

Rep. James MacKay moved that the House concur and spoke in favor.

Adopted.

**HB 556**, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire. (Amendment printed SJ 4-18-13)

Rep. James MacKay moved that the House concur and spoke in favor.

Adopted.

**HB 488-FN**, changing the definition of “cigarette” under the tobacco tax to match the definition of “cigarette” under the Master Settlement Agreement. (Amendment printed SJ 4-18-13)

Rep. Almy moved that the House concur and spoke in favor.

Adopted.

### **CONSENT CALENDAR**

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day’s House Record be adopted.

**SB 170**, relative to advance directives pertaining to life-sustaining treatment, removed by Rep. Peterson.

**SB 194-FN**, requiring the department of health and human services to implement the Medicaid family planning expansion, removed by Rep. Comerford.

**SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation, removed by Rep. Gary Richardson.

**SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags, removed by Rep. Notter.

**SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts, removed by Rep. Hoell.

**SB 101**, relative to collocation and modification of personal wireless services facilities, removed by Rep. Borden.

Consent Calendar adopted.

**SB 129-FN**, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Daniel C. Itse for Children and Family Law: This bill clarifies the definition and purpose of shelter care facilities and the youth development center (YDC) and ensures that juveniles can not

be committed to YDC unless it is proven by clear and convincing evidence that they are a danger to themselves or the community. It further prevents unnecessary detention by requiring eligibility for parole review every six months with an exception for violent crimes; there is an opportunity for waivers. The amendment makes two changes. First, it removes a study committee that is the subject of HB 418 which has been passed by the House and the Senate. Second, it removes a definition of CHINS that conflicts with the House position in HB 260 which has passed the House twice. The House position provides that services may be provided prior to adjudication. Vote 16-0.

#### **Amendment (1378h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center.

Amend the bill by replacing all after section 8 with the following:

9 Effective Date. This act shall take effect 60 days after its passage.

#### **AMENDED ANALYSIS**

This bill:

I. Limits the commitment of children to the youth development center to cases where a court is presented with evidence that a juvenile is dangerous.

II. Provides a definition for shelter care facility in cases involving juvenile delinquency and children in need of services.

III. Requires that the department make treatment available in both non-secure and secure settings.

IV. Creates a presumption of parole after 6 months for children at the youth development center for non-violent offenses.

V. Provides for a right to counsel for children facing revocation of their parole from the youth development center, which cannot be waived if the child has a disability.

VI. Provides for periodic court review of cases where a juvenile is held at the youth development center for more than 6 months.

Referred to the Committee on Finance.

**SB 173**, relative to criminal background checks for individuals volunteering or applying for employment at licensed child care facilities. **OUGHT TO PASS.**

Rep. Ruth P. Gulick for Children and Family Law: The kind of assiduous investigation and rigorous licensing procedure applied to foster homes would now apply to residential care institutions and child placement agencies with the passage of this bill. It involves fingerprinting, criminal record check and, importantly, a records check through the FBI. The national scope of the investigation may reveal "red flags" occurring outside the state of New Hampshire. It applies to individuals over the age of 17 living in any residence whether they are the primary caregiver or not. Licensees are obligated to remove any person deemed to be a potential threat to children. Failure to comply with the provisions of this act will result in revocation of the provider's license. Vote 15-1. Referred to the Committee on Criminal Justice and Public Safety.

**SB 38**, relative to pharmacy rights during an audit. **OUGHT TO PASS.**

Rep. John B. Hunt for Commerce and Consumer Affairs: This agreed-upon bill by both the pharmacies and the pharmacy managers, establishes the rights and procedures for the conduct of audits of the records with pharmacies. The bill sets up the timing and the recurrences of audits. It also includes an appeal process. Finally the law will not affect audits due to alleged fraud or abuse and does not apply to Medicare or Medicaid funds. Vote 18-0.

**SB 51**, relative to the definition of "professional service." **OUGHT TO PASS WITH AMENDMENT.**

Rep. Pamela Z. Tucker for Commerce and Consumer Affairs: The original purpose of this bill was to add two more professions to the definition of professional services for both professional corporations and professional LLC's. The bill was amended to broaden the definition to include any profession that is regulated by state statute instead of the limiting it to specific professions. The amendment also codifies the language with the uniform partnership act. The larger scope of the definition of professional service will eliminate the need for future legislation to add new professions that were not previously listed. Vote 18-0.

**Amendment (1479h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Professional Corporations; Definitions; Professional Service. Amend RSA 294-A:1, VI to read as follows:

VI. "Professional service" means ~~[any service which may lawfully be rendered only by certified public accountants, public accountants, architects, attorneys, podiatrists, chiropractors, dentists, pharmacists, professional engineers, land surveyors, registered professional nurses, optometrists, physicians and surgeons, physician assistants, psychologists, veterinarians, and all other professionals licensed, registered, certified, or otherwise authorized and permitted to practice independently under the provisions of RSA 309-B, 310-A, 311, 315, 316-A, 317-A, 318, 326-B, 327, 328-D, 329, 329-B, 330-A, or 332-B and which may not lawfully be rendered by a corporation organized under the law of this state applicable to business corporations]~~ *a type of highly skilled and educated, technical, and specialized personal service rendered to the public by persons who are licensed or certified, and regulated by state statute.*

2 Professional Limited Liability Companies; Definitions; Professional Service. Amend RSA 304-D:1, VI to read as follows:

VI. "Professional service" means ~~[any service which may lawfully be rendered only by certified public accountants, public accountants, architects, attorneys, podiatrists, chiropractors, dentists, pharmacists, professional engineers, land surveyors, registered professional nurses, optometrists, physicians and surgeons, psychologists, veterinarians, and all other professionals licensed, registered, certified, or otherwise authorized and permitted to practice independently under the provisions of RSA 309-B, 310-A, 311, 315, 316-A, 317-A, 318, 326-B, 327, 329, 329-B, 330-A, or 332-B]~~ *a type of highly skilled and educated, technical, and specialized personal service rendered to the public by persons who are licensed or certified, and regulated by state statute.*

3 Uniform Partnership Act; Definitions; Professional Service. Amend RSA 304-A:2, IX to read as follows:

IX. "Professional service" means ~~[any service which may lawfully be rendered only by certified public accountants, public accountants, architects, attorneys, podiatrists, chiropractors, dentists, pharmacists, professional engineers, land surveyors, registered professional nurses, optometrists, physicians and surgeons, physician assistants, psychologists, and veterinarians licensed, registered, certified, or otherwise authorized under the provisions of RSA 309-B, 310-A, 311, 315, 316-A, 317-A, 318, 326-B, 327, 328-D, 329, 329-B, 330-A, or 332-B]~~ *a type of highly skilled and educated, technical, and specialized personal service rendered to the public by persons who are licensed or certified, and regulated by state statute.*

4 Effective Date. This act shall take effect July 1, 2013, at 12:01 a.m.

**AMENDED ANALYSIS**

This bill modifies the definition of "professional service" as it applies to professional corporations, professional limited liability companies, and partnerships.

**SB 94**, relative to portable electronics insurance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Laura M. Jones for Commerce and Consumer Affairs: This bill clarifies the applicability of the law regulating insurance claims adjusters as it applies to portable electronics insurance claims. SB 94 allows licensed insurance claims adjusters or producers to supervise up to 25 persons using a preprogrammed computer system to process claims, and enables the New Hampshire insurance department to enforce state laws if a problem arises. The amendment replaces unnecessary language with the definition of the automated claims adjudication system that is utilized when individuals file an insurance claim. Vote 18-0.

**Amendment (1451h)**

Amend RSA 402-B:2, II(d)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) "Automated claims adjudication system" means a preprogrammed computer system that is utilized only by licensed insurance claims adjusters, licensed insurance producers, or supervised individuals operating pursuant to this subparagraph, designed for the collection, data entry, calculation, and final resolution and settlement of claims with respect to portable electronics insurance in compliance with the claims settlement requirements of the insurance laws of this state.

**SB 117-FN**, establishing a commission to study the regulation of pharmacy benefits managers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward A. Butler for Commerce and Consumer Affairs: A pharmacy benefit manager (PBM) is a third party administrator of prescription drug programs. PBMs act as an intermediary between the payor and everyone else in the health-care system. Their contracts can include incentives for cutting costs. They are primarily responsible for processing and paying prescription drug claims. PBMs fall somewhere in between an insurance service and a pharmacy entity but are regulated by neither. This bill, as amended, will establish a legislative study committee to determine if regulation is needed. Vote 18-0.

### **Amendment (1311h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study the regulation of pharmacy benefits managers.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is established a committee to study the regulation of pharmacy benefits managers.

2 Membership and Compensation.

I. The members of the committee shall be as follows:

(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(b) One member of the senate, appointed by the president of the senate.

II. The committee shall solicit information from the following:

(a) The insurance department.

(b) The department of administrative services.

(c) The pharmacy board.

(d) The New Hampshire Medical Society.

(e) The New Hampshire Nurses' Association

(f) A large pharmacy chain.

(g) An independent pharmacy.

(h) A pharmacy benefit manager who is neither employed by a pharmacy or has any ownership interest in a pharmacy.

(i) A private employer that utilizes the services of a pharmacy benefit manager.

III. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the regulation of pharmacy benefits managers. The committee's study shall include, but not be limited to, whether pharmacy benefits managers should be regulated by the state and how and when the regulation should be implemented.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

6 Effective Date. This act shall take effect upon its passage.

### **AMENDED ANALYSIS**

This bill establishes a committee to study the regulation of pharmacy benefits managers.

**SB 184-FN**, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services. **OUGHT TO PASS.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill exempts fish and game department officers from state licenses for emergency medical care providers. The department requires appropriate training and certification as "wilderness first responders" as well as CPR and first aid, but the emergency medical care provider license is redundant for the type of emergency medical care they provide. In addition, the licensing is on a two year cycle, while the department training is on a three year cycle, causing additional paperwork and cost. Fish and game officers who actually are EMTs (currently one) will continue to maintain their licenses for this more advanced care. Vote 19-0.

Referred to the Committee on Finance.

**SB 24**, relative to Medicaid rates. **OUGHT TO PASS.**

Rep. Barbara S. Helmstetter for Health, Human Services and Elderly Affairs: This bill eliminates the requirement for the department of health and human services to produce a report on Medicaid reimbursement rates before each biennial legislative session. This report is produced at great expense of time to the department and of money to the taxpayer. The information is all publicly available and the report has not served its intended purpose. Vote 17-2.

**SB 166**, relative to critical incident stress management and crisis intervention services. **OUGHT TO PASS.**

Rep. James R. MacKay for Health, Human Services and Elderly Affairs: This legislation addresses management of the acute and cumulative psychological trauma that is part of critical incident that police experience. It forms a trained crisis intervention team. It is natural that police personnel would find peer counseling more acceptable than other counselors. This is a major step forward in recognizing and counseling those impacted by work experienced trauma. Stress management team members have specialized training and are licensed peer counselors. Vote 18-1.  
Referred to the Committee on Judiciary.

**SB 171**, relative to the council for children and adolescents with chronic health conditions. **OUGHT TO PASS.**

Rep. Mariellen J. MacKay for Health, Human Services and Elderly Affairs: The council for children and adolescents with chronic health conditions was established in 1990. Senate Bill 171 changes the name to council for youth with chronic conditions. It adds one council member who is less than 30 years of age. Children with chronic health conditions are living longer with the benefits of today's advancements in medicine. The council helps to support the families and the children through resources and advocacy. Vote 18-0.

**SB 95**, relative to choice of pharmacy under workers' compensation. **OUGHT TO PASS.**

Rep. Michael D. Cahill for Labor, Industrial and Rehabilitative Services: This bill serves to codify current practice allowing injured workers to select a pharmacy of their own choosing, just as workers are allowed to select their own physician under workers' compensation law. Vote 18-0.

**SB 147-FN**, relative to prescription drugs in workers' compensation cases. **OUGHT TO PASS.**

Rep. Charles F. Weed for Labor, Industrial and Rehabilitative Services: The committee agreed with the merit of this bill and notes that the workers compensation advisory council unanimously endorsed this legislation. The committee hearing and deliberation discussed the requirements and regulation of generics are such that active ingredients and amounts are largely identical to brand name drugs. Some were aware of contraindications caused by binders and coloring agents which when discovered to be problematic for a patient leads to prescription of brand name medications. Vote 18-0.

**SB 49**, relative to appeals of planning board decisions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. David A. Bickford for Municipal and County Government: This bill requires appeals of planning board decisions concerning a subdivision or site plan to go to the board of adjustment prior to appeal to the superior court. Presently appeals can go to the court or board of adjustment and sometime get filed with both simultaneously. This bill will create an orderly flow of appeals. Vote 15-0.

**Amendment (1264h)**

Amend RSA 677:15, I-a(b) as inserted by section 1 of the bill by replacing it with the following:

(b) If, upon an appeal to the superior court under this section, the court determines, on its own motion within 30 days after delivery of proof of service of process upon the defendants, or on motion of any party made within the same period, that any matters contained in the appeal should have been appealed to the board of adjustment under RSA 676:5, III, the court shall issue an order to that effect, and shall stay proceedings on any remaining matters until final resolution of all matters before the board of adjustment. Upon such a determination by the superior court, the party who brought the appeal shall have 30 days to present such matters to the board of adjustment under RSA 676:5, III. Except as provided in this paragraph, no matter contained in the appeal shall be dismissed on the basis that it should have been appealed to the board of adjustment under RSA 676:5, III.

**SB 50**, relative to expiration of variances and special exceptions. **OUGHT TO PASS.**

Rep. James P. Belanger for Municipal and County Government: Currently there is a lack of uniformity among NH municipalities as to when a special exception that is not exercised expires. This legislation

provides that all variances and special exceptions expire in (2) two years from date of final approval unless exercised through construction pursuant to permission granted by the ZBA. This also permits a municipality to modify the duration of a variance or special exception by local zoning regulation when good cause dictates a longer period of time. Enacting a standard variance and special exception duration limitation promotes uniformity and predictability in land use decisions. Vote 15-0.

**SB 58**, relative to the taxation of water works or flood control land held in another town or city. **OUGHT TO PASS.**

Rep. James E. Coffey for Municipal and County Government: This bill promotes negotiations between municipalities regarding water works or flood control land owned by one town but situated in another. It promotes constructive discussion about payment in lieu of taxes without setting any specific requirements. Vote 18-0.

**SB III**, permitting municipalities to establish a capital reserve plan for expenditure of capital reserve funds and relative to electronic billing by municipal utilities. **OUGHT TO PASS.**

Rep. James P. Belanger for Municipal and County Government: This bill permits municipalities to appropriate funds for more than one year by a super majority vote to avoid costs of bonding. Multiple year appropriations for long term projects (such as road rebuilding) will guarantee that a project can continue until completed in more than one year although there is a provision to rescind such funding by majority vote in a future legislative session. This bill also permits municipal utility bills for notices to be in electronic form if specifically requested by the recipient. Vote 14-1.

**SB 172-FN-L**, relative to public funds. **OUGHT TO PASS.**

Rep. Kathleen M. Stroud for Municipal and County Government: This bill modifies the investment options of the state treasurer and the treasurers of the political subdivisions of the state. This legislation builds on existing programs and allows for easier access to funds. Vote 15-0.

**SB 197**, relative to the inclusion of a default budget in separate warrant articles submitted by sewer commissions. **OUGHT TO PASS WITH AMENDMENT.**

Rep. James E. Coffey for Municipal and County Government: This bill correctly separates the water and sewer operations from the general fund budget of a municipality that is subject to default budgets to allow a separate default for water and sewer operations, when they are presented as separate articles. These operations are required to be held in separate funds and are normally funded by user fees. Vote 15-0.

#### **Amendment (1448h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the inclusion of a default budget in separate warrant articles submitted by sewer and water commissions.

Amend the bill by replacing section 1 with the following:

1 Sewer Funds; Separate Warrant Article; Default Budget. Amend RSA 149-I:10, II and III to read as follows:

II. Except when a capital reserve fund is established pursuant to paragraph III, all sewer funds shall be held in the custody of the municipal treasurer. Estimates of anticipated sewer rental revenues and anticipated expenditures from the sewer fund shall be submitted to the governing body as set forth in RSA [32:6] 32:4 if applicable, and shall be included *either* as part of the municipal *operating* budget *or as a separate warrant article* submitted to the local legislative body for approval. *In a town or district that has adopted the official ballot referendum form of meeting, any such separate warrant article shall include a default amount as provided in RSA 40:13, XI-a.* If the municipality has a properly-established board of sewer commissioners, then notwithstanding RSA 41:29 or RSA 48:16, the treasurer shall pay out amounts from the sewer fund only upon order of the board of sewer commissioners. Expenditures shall be within amounts appropriated by the local legislative body. The sewer commission shall also remit to the municipality those costs incurred by the municipality in support of sewer operations, including but not limited to financial audit, facility insurance, treasurer compensation, and office support.

III. At the option of the local governing body, or of the board of sewer commissioners if any, all or part of any surplus in the sewer fund may be placed in one or more capital reserve funds and ~~[placed]~~ *held* in the custody of the trustees of trust funds pursuant to RSA 35:7. If such a reserve



fund is created, then the governing body, or board of sewer commissioners if any, may expend such funds pursuant to RSA 35:15 without prior approval or appropriation by the local legislative body, but all such expenditures shall be reported to the municipality pursuant to RSA 149-I:25. This section shall not be construed to prohibit the establishment of other capital reserve funds for any lawful purpose relating to municipal water systems.

Amend the bill by replacing all after section 2 with the following:

3 Water Funds; Separate Warrant Article; Default Budget. Amend RSA 38:29, II and III to read as follows:

II. Except when a capital reserve fund is established pursuant to paragraph III, all water funds shall be held in the custody of the municipal treasurer. Estimates of anticipated water rate revenues and anticipated expenditures from the water fund shall be prepared and submitted to the governing body as set forth in RSA [32:3] **32:4**, if applicable, and shall be included *either* as part of the municipal *operating* budget *or as a separate warrant article* submitted to the local legislative body for approval. *In a town or district that has adopted the official ballot referendum form of meeting, any such separate warrant article shall include a default amount as provided in RSA 40:13, XI-a.* If the municipality has a properly established board of water commissioners, then notwithstanding RSA 41:29 or RSA 48:16, the treasurer shall pay out amounts from the water fund only upon order of the board of water commissioners. Expenditures shall be within amounts appropriated by the local legislative body. *The water commission shall also remit to the municipality those costs incurred by the municipality in support of water operations, including but not limited to financial audit, facility insurance, treasurer compensation, and office support.*

III. At the option of the local governing body, or of the board of water commissioners, if any, all or part of any surplus in the water fund may be placed in one or more capital reserve funds held in the custody of the trustees of trust funds pursuant to RSA 35:7. If such a reserve fund is created, then the governing body, or board of water commissioners, if any, may expend such funds pursuant to RSA 35:15 without prior approval or appropriation by the local legislative body, but all such expenditures shall be reported to the municipality pursuant to RSA 38:21. This [paragraph] *section* shall not be construed to prohibit the establishment of other capital reserve funds for any lawful purpose relating to municipal water systems.

4 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill permits water and sewer commissions to submit separate warrant articles, which include default budgets, for approval by the legislative body of towns.

**SB 84**, relative to road toll administration, relative to motor vehicles carrying property for hire, and relative to administration of the international registration plan. **OUGHT TO PASS.**

Rep. Martin L. Jack for Public Works and Highways: This bill makes several technical corrections that affect the road toll bureau as requested by the department of safety. First, it clarifies that fuel distributor licenses are on a July to June schedule with the initial license expiring the following June. Second, it reduces from \$50 to \$10 the penalty for failing to report a fuel delivery, since existing law is considered to be excessively punitive. Third, it authorizes the department to write off unpaid road toll as bad debt if it is determined to be uncollectible. Fourth, it repeals an obsolete statute on registration of intrastate-only motor carriers. No carrier is currently registered under this statute and it has been superseded by using federal interstate operating authority or federal unified carrier registration. Finally, only the audit function of administering the international registration plan is retained in the road toll bureau. Vote 16-0.

**SB 188-FN**, relative to municipally-owned utilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. John A. Graham for Public Works and Highways: This bill clarifies provisions of RSA 228:22. Currently, if state highway work requires a municipally owned utility to relocate underground facilities, then the state bears the cost of the relocation. In 2012 the city of Nashua purchased Pennichuck Corp and retained the existing corporation, making Pennichuck a non-profit corporation which is municipally owned. Pennichuck provides water service to 29 communities in New Hampshire from Conway to Pelham. This bill, as amended, provides the same level of relief for the ratepayers of Pennichuck that are enjoyed by other municipal water utilities under existing law. The amendment requires that the utility must be owned in its "entirety" by a municipality. Vote 15-2.

**Amendment (1252h)**

Amend the bill by replacing section 1 with the following:

1 Transportation; Cost of Retrenching for Relocation of Underground Facilities. Amend RSA 228:22 to read as follows:

228:22 Cost of Trenching for Relocation of Underground Utilities. When the commissioner shall determine that a highway reconstruction, relocation, or maintenance project financed in whole or in part by state funds and conducted under department of transportation supervision or control necessitates the relocation of any municipally-owned subterranean utilities facilities, any trenching and backfilling required for such relocation shall be part of the cost of such reconstruction, relocation, or maintenance and shall be provided by the governmental agency which is carrying out such highway work at no cost to the municipally-owned utility, and the governmental agency shall pay the municipality for the book value (original cost less allowable depreciation) at the time the municipally-owned subterranean facility is retired. Provided, however, that if a public utility other than a municipally-owned utility makes use of a relocation trench provided for in this section, said utility shall pay the governmental agency carrying out such work its proportionate share of the cost of such trenching and backfilling. *For purposes of this section, the term "municipally-owned utility" means any utility that is owned in its entirety, directly or indirectly, by a municipality or by a department, instrumentality, company, or corporation that is owned in its entirety, directly or indirectly, by a municipality. For purposes of this section, the term "municipally-owned subterranean facility" means any subterranean facility that is owned, directly or indirectly, by a municipality or by a department, instrumentality, company, or corporation that is owned, directly or indirectly, by a municipality.*

**SB 192-FN-L**, establishing a committee to study the establishment of a state infrastructure bank. **OUGHT TO PASS.**

Rep. John R. Cloutier for Public Works and Highways: This bill would create a six-member legislative study committee, consisting of three senators and three representatives, to examine the idea of establishing a state infrastructure bank. Such a bank is a financial vehicle that would encourage private and local participation in surface transportation projects and has already been created in 39 other states, according to the bill's sponsors. The above-described participation could also include leveraging federal funds. The overwhelming committee majority believes this innovative idea to help pay for our crumbling infrastructure is worth studying. Vote 15-3.

Referred to the Committee on Finance.

**SB 14**, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development. **OUGHT TO PASS.**

Rep. Sid Lovett for Resources, Recreation and Development: This bill repeals the sunset of the authority of the department of resources and economic development (DRED) to adopt rules on assessing administrative fines. By written agreement by the commissioner of DRED any authorized municipal official may utilize the summons procedure under RSA 31:39d to cite individuals for violations of state park administrative rules or forest and land administration or both. Authorized municipalities shall retain 100% of any fine collected in accordance with DRED schedule. Vote 18-1. Referred to the Committee on Ways and Means.

**SB 131-FN-L**, relative to a permitting process for the removal of submerged logs from certain great ponds. **OUGHT TO PASS.**

Rep. Shannon E. Chandley for Resources, Recreation and Development: This bill allows the governor and executive council to grant municipalities the right to remove submerged logs from certain great ponds. Currently, there is no procedure in place to authorize the removal of these logs. Authorization may be granted if the logs pose a hazard to navigation, public safety or the environment provided that the municipality demonstrates that removal does not create a greater hazard than if the logs were left in place. Vote 19-1.

**SB 175**, relative to crossing public waters of the state for public utility purposes. **OUGHT TO PASS.**

Rep. Robert A. Backus for Science, Technology and Energy: The bill will permit utilities and other providers to cross public waters or lands on existing poles without having to pursue the same permitting procedures required for new pole installations. Providers will still have to provide an affidavit to the PUC that the attachment and crossing complies with the National Electric Safety

Code and they have a valid attachment agreement. The bill does not apply to gas or new electrical line crossings. It will save expense without any diminishment of safety or other areas of public concern. Vote 15-0.

**SB 30**, making technical corrections to tax laws. **OUGHT TO PASS.**

Rep. Gilman C. Shattuck for Ways and Means: This bill, a request of the department of revenue administration, makes four simple corrections to tax law: defines what information may be exchanged with the United States department of treasury and the United States food and drug administration; defines willful disclosure of confidential or privileged information and penalties thereof, using language consistent with federal law; defines the obligation of a taxpayer to report to the department changes made by the United States internal revenue service and the obligation of the department to notice the taxpayer of its review of the taxpayer's return; fees applicable to a check drawn on a foreign bank shall be paid by person tendering check. Vote 16-0.

### REGULAR CALENDAR

**SB 25**, relative to the treatment of medical support in child support cases. **OUGHT TO PASS.**

Rep. Carolyn M. Gargas for Children and Family Law: This bill clarifies calculation of the medical support obligation in child support cases. Under current law medical costs are to be based on medical insurances; however, the residential parent could be liable for uninsured medical expenses. This bill corrects this situation. The bill is in response to a court decision and is at the request of the department of health and human services. Vote 14-2.

Committee report adopted and ordered to third reading.

**SB 137-FN**, relative to sibling visitation rights. **INEXPEDIENT TO LEGISLATE.**

Rep. Cynthia L. Chase for Children and Family Law: While the committee felt great sympathy for the circumstances which prompted this bill, according to *Troxel v Granville*, United States Supreme Court 2000, this bill is clearly unconstitutional. Vote 16-0.

Committee report adopted.

**SB 104**, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Kermit R. Williams for the Majority of Commerce and Consumer Affairs: Metal theft is a serious problem in New Hampshire. A solution for that problem is not simple. Thefts often happen at unoccupied construction sites or vacant houses. Thieves will try to sell quickly, before the police are on their trail. Most scrap metal dealers want to do the right thing and purchase only legitimately obtained metal, but need help to identify potential stolen goods. Because metal prices change constantly, a dealer wants to sell quickly before the price drops, but it can take a long time for police to identify stolen property. Some cities and towns in the state have their own systems to track potentially stolen secondhand merchandise, including not only scrap metal but jewelry and other goods sold through pawn shops or other methods. Other towns have no system, so smart thieves will choose a place to sell where they are not tracked. The scrap industry is strongly motivated to help the state create a comprehensive system to catch metal thieves and identify stolen merchandise, without being included in a general stolen-goods tracking system, such as those for pawn shops. This bill creates a commission with members from the legislature, industry and law enforcement whose goal will be to find ways to protect theft victims and catch thieves without hurting the legitimate recycling business. Vote 11-7.

Rep. Pamela Z. Tucker for the Minority of Commerce and Consumer Affairs: This bill, while well intended, is to create yet another study committee where one is not needed. We heard in testimony that the data base needed already exists. The various parties listed in the bill can already meet without legislative authority and may be better served without state intervention by just having interested and knowledgeable parties involved. We are opposed to creating this committee because it will result in the creation of another fee on businesses, as stated in the text of the bill.

Majority committee report adopted and ordered to third reading.

**SB 134-FN**, relative to the division of higher education and the higher education commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. June M. Frazer for Education: This bill amends the duties and membership of the higher education commission and revises the application and approval process for institutions of higher

learning to seek and receive approval from the higher education commissions; establishes the higher education commission fund and repeals department of education rulemaking authority for tuition waiver and scholarship programs for children of firefighters, police officers and foster children and places approval of out-of-state branches of institutions of higher learning within the authority of the higher education commission. Vote 18-0.

### **Amendment (1426h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Division of Higher Education. RSA 21-N:8-a is repealed and reenacted to read as follows:

21-N:8-a Division of Higher Education.

I. There is hereby established within the department the division of higher education, under the supervision of an unclassified director of higher education who shall be responsible for providing support to the higher education commission established in paragraph II.

II.(a) There is hereby established a higher education commission which shall consist of the following members:

(1) The president of the university of New Hampshire, the president of Keene state college, the president of Plymouth state university, and the president of Granite State college.

(2) Two presidents from institutions within the community college system of New Hampshire, to be chosen by the board of trustees of the community college system.

(3) The chancellor of the university system of New Hampshire.

(4) The chancellor of the community college system of New Hampshire.

(5) The commissioner of the department of education.

(6) Six representatives of the private 4-year colleges in New Hampshire appointed by the governor and council on recommendation by the New Hampshire College and University Council, with no more than one representative from any one college.

(7) One member to be appointed by the governor and council as a representative from a for-profit college or university not a member of the New Hampshire College and University Council.

(8) Four members to be appointed by the governor and council who shall be residents of the state and of the lay public, having no official connection with any college, university, or private postsecondary career school as an employee, trustee, or member on a board of directors.

(9) Two members to be appointed by the governor and council, on recommendation by the New Hampshire Council for Professional Education, who shall be residents of the state and shall represent private postsecondary career schools.

(b) The terms of appointed members, except as otherwise indicated above, shall be for 5 years and until a successor is appointed and qualified. Vacancies shall be filled for the unexpired term.

(c) Commission appointments shall be made in such a way as to preserve broad and equitable representation on the basis of gender, ethnicity, and socioeconomic groups in the state.

(d) The members of the commission shall serve without compensation, but may be reimbursed for actual travel and other expenses incurred in the performance of their duties on the commission from funds appropriated to the department of education specifically for this purpose.

(e) The commission shall:

(1) Regulate institutions of higher education pursuant to RSA 292:8-b through RSA 292:8-kk. The commission may accept accreditation by a recognized accrediting association in place of its own independent evaluation.

(2) Administer financial aid programs as provided in state and federal law for students attending higher education institutions, except as otherwise provided by law.

(3) Apply for, accept, and expend state, federal, or other grants.

(4) Oversee the functions of the Veterans Education Services as authorized by Congress.

(5) Establish and collect reasonable annual fees related to the performance of statutory duties.

(6) Enter into cooperative interstate or international agreements to further operating efficiencies, student access, and educational opportunities.

(7) Be the designee for the integrated postsecondary education data system as developed by the United States Department of Education.

(8) Adopt rules, pursuant to RSA 541-A relative to:

(A) Organization and operation of the higher education commission established in this section.

(B) Approval and regulation of institutions of higher education pursuant to RSA 292:8-b through RSA 292:8-kk.

(C) Administration of financial aid programs for institutions of higher education, except as otherwise provided by law.

(D) Establishment and collection of reasonable fees for functions performed by the division of higher education and the higher education commission as required in this section.

(9) Assume other responsibilities as may be provided in state or federal law.

III. There is hereby established in the office of the treasury the higher education fund to be administered by the higher education commission. The fund shall be nonlapsing and continually appropriated to the higher education commission for the purposes established in this chapter. All fees collected by the commission relative to the performance of its duties shall be deposited into the fund.

2 Scholarships for Orphans of Veterans. Amend RSA 193:21 to read as follows:

193:21 Payment. The amounts payable to recipients shall be determined by the department of education, division of higher education. The ~~[department]~~ **higher education commission established in RSA 21-N:8-a** shall determine the eligibility in accordance with rules adopted under RSA 541-A of the children who make application for the benefits provided for in this subdivision.

3 Higher Education Corporations; Organization. Amend RSA 292:8-c through RSA 292:8-h to read as follows:

292:8-c Organization. The articles of agreement for the purpose of organizing a corporation for the establishment of an institution ~~[for postsecondary education or]~~ **of higher learning** shall be submitted to the commission for its consent for said incorporation.

292:8-d Approval. No articles of agreement for the incorporation of institutions ~~[for postsecondary or higher education]~~ **of higher learning** shall be recorded in the office of the secretary of state unless or until consent for said incorporation has been obtained from the commission.

292:8-e General Statement. The commission shall approve as a corporation of higher learning only such institutions as have been evaluated according to procedures and standards established by the commission. ***The commission may accept accreditation or program approval by a recognized accrediting body in place of its own independent evaluation.***

292:8-ee Freedom From Liability. No employee of the division, member of the commission, or any member of an evaluation committee established under any provision of this subdivision shall be held personally liable, either as an individual or as a member of a group, ~~[for any loss which may accrue to an educational institution as a result of the denial of degree granting authority under any section of this subdivision]~~, so long as said employee or member was acting in good faith in the furtherance of duties as an employee of the division or member of the commission or an evaluation committee. All such members shall be entitled to the protections afforded by RSA 99-D.

292:8-f Submission of Plans. Any person **or entity** desiring to establish an institution of higher learning shall submit to the commission ~~[at the time approval is requested for its articles of incorporation]~~ its plans, which shall be evaluated by the commission ~~[prior to granting its certificate]~~. Such evaluation shall include among other things the adequacy of the buildings or proposed buildings, instructional facilities and provisions for safety and well-being of its students, the qualifications of the faculty, the character of the program of studies and the adequacy of financial resources. ***All fees collected by the commission under this section shall be deposited into the higher education fund established in RSA 21-N:8-a, III.***

292:8-ff Continuing Review.

I. The commission shall conduct periodic reevaluations of educational institutions incorporated under this chapter ~~[and of any degree granting authority under RSA 292:8-h]~~.

II. The commission shall conduct a special reevaluation of any educational institution, if:

- (a) The institution is sold or transferred to, or merged with, another entity; or
- (b) There is a substantial change in the governance of the institution.

III. The commission shall suspend or revoke the ~~[accreditation]~~ **approval** or degree granting authority of any institution which no longer meets the standards established by rule under RSA 21-N:8-a, II(e).

IV. Any institution which has not conducted regular instruction for 3 consecutive years and whose charter has not been repealed shall, before announcing a resumption of instruction, submit plans **to the commission** and be evaluated and approved under RSA 292:8-f.

V. Any institution which has not awarded a particular degree for 4 years shall seek and receive approval by the commission before **resuming the** awarding of that degree.

292:8-g Limitation on Name. Notwithstanding the provisions of RSA 292:3 no person, school, association or corporation shall use in any way the term "junior college" or "college" or "university" in connection with an institution, or use any other name, title or descriptive matter tending to designate that it is an institution of higher learning unless it has been incorporated under the provisions of this chapter. ~~[The provisions of this section shall not apply to a person, school, association or corporation which has been authorized to use said terms by law prior to January 1, 1965.]~~ Any person, school, association or corporation authorized by a special act of the legislature shall not change its name to include any of said terms under the provisions of RSA 292:8-l unless its amendment therefor shall be submitted to and approved by the commission prior to being filed in the office of the secretary of state.

292:8-h Granting of Degrees.

I. This section shall apply to all educational institutions within the state granting degrees or seeking to do so, except the following:

(a) Any institution now granting degrees which has been in continuous operation since before 1775;

(b) [Repealed.]

(c) ~~[Publicly supported institutions placed by the legislature under the authority of the state board of education]~~ ***Institutions of the university system of New Hampshire pursuant to RSA 187-A and institutions of the community college system of New Hampshire pursuant to RSA 188-F.***

II. No educational institution shall grant degrees unless authorized by name to do so by an act of the legislature.

III. The commission shall specify the degrees an institution may grant, and the commission may renew, for a set term of years, degree granting authority ~~[granted by the legislature. The commission's actions shall be subject to biennial certification by the legislature].~~ The commission shall report its ~~[action]~~ **activity** by January 31 of each odd-numbered year to both the house and senate standing committees on education.

***IV. Any out-of-state institution of higher learning planning to establish a branch campus or offer courses, programs, or degrees in this state, shall apply to the commission for evaluation and approval of its plans. If such plans are not approved or if approval is withdrawn by the commission, all operations and publicity of the out-of-state institution shall cease without delay.***

4 University System of New Hampshire; Tuition Waivers. Amend RSA 187-A:20-a and RSA 187-A:20-b to read as follows:

187-A:20-a Tuition Waived for Children of Certain Firefighters and Police Officers; Room and Board Scholarships.

I. A person who is a New Hampshire resident, who is under 25 years of age, and who enrolls in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state~~[-approved by the department of education, division of higher education;]~~ shall not be required to pay tuition for attendance at such institution if he or she is the child of a firefighter or police officer who died while in performance of his or her duties, and whose death was found to be compensable pursuant to RSA 281-A.

II.(a) Any person entitled to a waiver of tuition under this section may apply for a room and board scholarship while attending the institution, to the extent of available funds. ~~[Applications for a room and board scholarship shall be filed annually with the director of the division of higher education. The department of education shall adopt rules, pursuant to RSA 541-A;]~~ ***The board of trustees of the university system of New Hampshire and the board of trustees of the community college system of New Hampshire shall have the authority to develop policies for their respective institutions*** relative to the development of criteria for awarding scholarships, development of scholarship application forms, application deadlines, scholarship amounts, provisions for continuing eligibility, and other procedures necessary to administer the room and board scholarships.

(b) There is hereby established in the office of the state treasurer a nonlapsing fund to be known as the room and board scholarship fund. The state treasurer shall invest the fund pursuant to RSA 6:8 and earnings shall be added to the fund. The fund shall be continually appropriated to the ~~[division of higher education]~~ ***university system of New Hampshire*** for the purpose of providing room and board scholarships as provided in this section, and shall not be diverted or used for any other purpose. The ~~[director of the division of higher education]~~ ***board of trustees of the university***

*system of New Hampshire and the board of trustees of the community college system of New Hampshire* may apply for and accept gifts, grants, and donations from any source to be used for the purpose of providing room and board scholarships as provided in this section.

187-A:20-b Tuition Waiver for Children in State Foster Care or Guardianship.

I. An eligible individual who enrolls full-time in a program leading to a certificate, associate, or bachelor degree at any public postsecondary institution within the state ~~[that is approved by the department of education, division of higher education,]~~ shall not be required to pay tuition or fees for attendance at such institution.

II. In this section, an eligible individual is a person who is less than 23 years of age and who is or was:

- (a) In state foster care for the immediate 6-month period prior to his or her 18th birthday;
- (b) In state guardianship or custody at the time of his or her 18th birthday;
- (c) Adopted while in state guardianship or adopted from the care, custody, and control of the department following a surrender of parental rights; or
- (d) In an out-of-home placement under the supervision of the division for juvenile justice services at the time of his or her 17th birthday.

III.(a) Eligible individuals interested in a tuition waiver shall annually apply ~~[to the division of higher education on a form]~~ **on forms** provided ~~[by the division of higher education]~~ and within the deadlines established by the ~~[division of higher education]~~ **university system of New Hampshire and the community college system of New Hampshire for their respective institutions.** No more than ~~[20]~~ **10** tuition waivers per year shall be granted ~~by the university system of New Hampshire and no more than 10 tuition waivers per year shall be granted by the community college system of New Hampshire.~~ The ~~[department of education shall adopt rules, pursuant to RSA 541-A, relative to the development of]~~ **university system of New Hampshire and the community college system of New Hampshire shall have the authority to develop** eligibility criteria **for their respective institutions** designed to give the children with the greatest financial need first priority in the tuition waiver program ~~[-the creation of an application form, application deadlines, and provisions].~~ **Such eligibility criteria shall also include provisions** for continuing eligibility ~~[which require]~~ **based on** continued full-time enrollment ~~[as provided in this section]~~ and ~~[maintaining]~~ satisfactory academic progress as defined by the institution.

(b) Beginning November 1, 2008, and no later than November 1 each year thereafter, the division of children, youth, and families shall submit a report to the health and human services oversight committee, established in RSA 126-A:13, and the house children and family law committee, or their successor committees, detailing the status of the tuition waiver program.

**IV. An eligible individual may also apply for a room and board scholarship under the provisions of RSA 187-A:20-a, II without having to comply with the provisions of RSA 187-A:20-a, I.**

5 Higher Education Corporations; Reports Required. Amend RSA 292:8-kk to read as follows: 292:8-kk Reports Required.

I. When any institution of higher learning ceases the regular conduct of instruction, ~~[either temporarily or permanently, whether or not the corporation is dissolved, the original written academic record, or a legible, certified copy thereof as defined by the institution, of]~~ **2 certified transcripts and an electronic copy of the same** for each student who ~~[has been]~~ **was** registered for instruction at the institution shall be forwarded to the commission together with **a course catalogue for each year in which the institution operated, and** an explanation of the institution's credit and grading system. The commission shall preserve these records and upon request of the individual concerned, shall furnish a certified copy~~[-or reasonable number of such copies,]~~ of the individual's record. The fee for each record so furnished to be paid to the commission shall be sufficient to cover related costs.

II. All transcript request fees collected by the commission under this section shall be deposited into ~~[a nonlapsing, revolving fund to be used for managing the storage, maintenance, and retrieval of closed school transcripts]~~ **the higher education fund established in RSA 21-N:8-a, III.**

6 New Subparagraph; Application of Receipts; Higher Education Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:

(311) The higher education fund established in RSA 21-N:8-a, III.

7 Repeal. The following are repealed:

I. RSA 21-N:9, III, relative to department of education rulemaking for tuition waiver and scholarship programs for children of firefighters, police officers, and foster children, is repealed.

II. RSA 186:13-b, relative to approval of branches of out-of-state institutions.

III. RSA 186:13-c, relative to penalties for establishing an unapproved branch of an out-of-state institution.

8 Effective Date. This act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill:

I. Revises the duties and membership of the higher education commission.

II. Revises the application and approval process for institutions of higher learning to seek and receive approval from the higher education commission.

III. Establishes the higher education fund.

IV. Transfers rulemaking authority for tuition waiver and scholarship programs for children of firefighters and police officers, and for foster children from the department of education to the university system of New Hampshire and the community college system of New Hampshire.

V. Places approval of out-of-state branches of institutions of higher learning within the authority of the higher education commission.

Amendment adopted.

Committee report adopted and referred to the Committee on Ways and Means.

**SB 162-FN**, repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds, and relative to the membership of the higher education commission. **OUGHT TO PASS WITH AMENDMENT.**

Rep. June M. Frazer for Education: This bill repeals the student tuition guaranty fund which was funded from an annual fee established by rule and assessed against each school duly licensed by the commission and all applicants for a license under RSA 188-G:2. The bill further requires the higher education commission to disburse all remaining funds except accrued interest to the private postsecondary career schools responsible for contributing the funds. The interest will go to the general fund. Vote 18-0.

### Amendment (1401h)

Amend the title of the bill by replacing it with the following:

AN ACT repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds.

Amend the bill by deleting section 5 and renumbering the original section 6 to read as 5.

### AMENDED ANALYSIS

This bill repeals the student tuition guaranty fund and requires the higher education commission to disburse all remaining funds to the private postsecondary career school responsible for contributing the funds.

Amendment adopted.

Committee report adopted and referred to the Committee on Finance.

**SB 189-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Dianne E. Schuett for the Majority of Executive Departments and Administration: The bill, as amended, revises standards for licensure of fuel gas fitters and places those trades along with the plumbing trades into the mechanical licensing board under the supervision of the department of safety. The committee worked with the fire marshal's office in the department of safety and the various trades and their current governing boards to craft an amendment that addressed the changing nature of these fields. The committee amendment defines the various trades dealing with heating oil, liquefied propane and natural gas and describes the specific duties which can be performed by each title from installation of pipes or appliances to service, repair or even demolition of complete systems. The amendment also requires the following qualifying standards: a fuel gas installation technician must have 1,000 hours of field experience, or equivalent in an approved educational setting installing, servicing or repairing gas appliances or equipment within 60-months and may count up to 500 hours installing, servicing or repairing heating oil fired appliances or equipment to meet the 1,000 hours; a fuel gas service technician must have 2,000 hours of field experience, or equivalent



in an approved educational setting installing, servicing or repairing gas appliances or equipment, or gas piping within 60-months and may count up to 750 hours installing, servicing or repairing heating oil fired appliances or equipment to meet the 2,000 hours; a fuel gas piping installer must have 1,000 hours of field experience, or equivalent in an approved educational setting installing gas piping within 60-months and may count up to 500 hours installing, servicing or repairing heating oil fired appliances or equipment to meet the 1,000 hours. The amendment further changes the expiration of all licenses under this section to the end of January every two years for conformity. It also allows for a licensed business entity to apply for and receive permits so that the tradesman does not use work time to do so. Finally, it spells out exemptions for students in high school vocational programs, employees of public water systems and certain welders working under the supervision of a licensed fuel gas fitter or master plumber. The majority of the committee believes that the bill, as amended, provides appropriate competency in these licensed trades to ensure the safety of the citizens of our state. Vote 17-2.

Rep. Daniel C. Hansberry for the Minority of Executive Departments and Administration: This bill reduces the training hours currently required to be a licensed fuel gas service technician from 5,000 to 2,000. Additionally, it permits 750 of the 2,000 hours to be fulfilled while servicing oil fired appliances. This results in only 1250 hours of the trainee's experience being completed while working on gas fired equipment. The net effect is a 75% reduction in the number of hours presently required for training on gas fired equipment in order to be licensed. The minority acknowledges that there is a shortage of gas service technicians, however, it does not believe the way to address it is by lowering the standards for licensure. Utilizing such an approach lowers the quality of service provided to the consumer and potentially compromises public safety.

#### **Majority Amendment (1464h)**

Amend the bill by replacing section 5 with the following:

5 Definitions. RSA 153:27 is repealed and reenacted to read as follows:

153:27 Definitions. In this subdivision:

I. "Board" means the mechanical licensing board established in RSA 153:27-a.

II. "Domestic appliance technician" means any person engaged in the installation, servicing, and repair of liquefied propane or natural gas domestic appliances designed specifically for residential use, limited to residential clothes dryers and their venting systems, domestic stove tops, cook stoves and ranges and their venting systems, or outdoor cooking equipment and pool heaters.

III. "Fuel gas fitter" means a hearth system installation and service technician, a fuel gas installation technician, a fuel gas service technician, or a fuel gas piping installer regulated by this subdivision.

IV. "Fuel gas fitting" means the installation, repair, alteration, service, demolition or removal of pipes, fixtures, fittings, appliances, or apparatus necessary for supplying natural gas or propane for residential or non-residential use from the point of delivery and all gas piping before connection to the combustion zone and including the applicable venting of flue gases to the outside atmosphere and the provisions for air for combustion and ventilation.

V. "Fuel gas installation technician" means any person engaged in the installation of inside and outside piping from the outlet of the gas meter or first stage regulator or residential and non-residential heating equipment systems or water heating systems using liquefied propane gas or natural gas.

VI. "Fuel gas piping installer" means any person engaged in the installation of liquefied propane gas or natural gas piping or who is a New Hampshire licensed plumber, approved by the board through affidavit, experience, education or training in the use of NFPA 54, national fuel gas code as adopted pursuant to RSA 153:5 in the state fire code.

VII. "Fuel gas service technician" means any person engaged in the servicing and repair of inside and outside piping from the outlet of the gas meter or first stage regulator or residential and non-residential heating equipment systems or water heating systems using liquefied propane gas or natural gas.

VIII. "Fuel gas trainee" means any person engaged in the process of meeting the licensing requirements of this subdivision, who shall work under the supervision of a licensed fuel gas fitter in the repair or installation of inside and outside piping from a gas meter or first stage regulator, and the repair or installation of residential and nonresidential heating equipment systems, hot water heating systems, or hearth equipment systems utilizing liquefied propane gas or natural gas.

IX. "Hearth system installation and service technician" means any person engaged in the installation, servicing, and repair of liquefied propane or natural gas hearth appliances and venting systems.

X. "Journeyman plumber" means any person who customarily performs the work of installing, maintaining, and repairing plumbing and drainage under the direction of a master plumber.

XI. "License" means any license issued pursuant to this subdivision.

XII. "Master plumber" means any person, firm, corporation, or limited liability company that, as a business, hires or employs a person or persons to do plumbing work, or, without hiring any person, does that work as a principal business or as auxiliary to a principal business for its own account.

XIII. "Person" means an individual, natural person.

XIV. "Plumbing" means the practice, materials, and fixtures used in the installing, maintenance, extension, and alteration of all piping, fixtures, plumbing appliances, and plumbing appurtenances within or adjacent to any structure, in connection with sanitary drainage or storm drainage facilities; venting systems; and public or private water systems. For the purposes of this subdivision, the term "plumbing" shall not apply beyond the first fitting beyond the foundation wall of the building or 5 feet of pipe from the building.

XV. "Plumbing apprentice" means any person who is engaged in learning and assisting in the installation of plumbing and drainage under an apprenticeship program that meets the requirements of the state apprenticeship advisory council established in RSA 278.

XVI. "Water treatment system" means any apparatus for treating or processing water to modify, enhance, or improve its quality or to meet a specific water quality need, desire, or standard, and the pipes, fittings, and other components servicing such apparatus.

XVII. "Water treatment technician" means any person who installs, maintains, or repairs water treatment systems.

XVIII. "Water treatment trainee" means any person who is engaged in learning about and assisting in installing, maintaining, or repairing water treatment systems under the direct supervision of a water treatment technician certified under this subdivision.

Amend RSA 153:27-a as inserted by section 6 of the bill by inserting after paragraph V the following new paragraph:

VI. The secretary of the board shall receive at least monthly an accounting from the department of all moneys derived under the provisions of this subdivision.

Amend the bill by replacing section 7 with the following:

7 Rulemaking Mechanical Licensing Board. RSA 153:28 is repealed and reenacted to read as follows:

153:28 Rulemaking.

I. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the state fire marshal and with the approval of the commissioner of safety, shall adopt rules, pursuant to under RSA 541-A, necessary for the proper implementation of the licensure requirements established in this subdivision, which shall include the following:

(a) Standards regarding requirements for education or its equivalent, field experience or its equivalent in an approved educational setting, and testing for applicants for initial licensure for the following specialty licenses:

(1) Hearth system installation and service technician.

(2) Fuel gas installation technician; provided that the standards adopted in rules shall require 1,000 hours of field experience, or its equivalent in an approved educational setting, within a 60-month period relevant to the installation, servicing, and repair of gas appliances or equipment and that up to 500 hours of relevant field experience installing, servicing, or repairing heating oil fired appliances or equipment within the 60-month period may be used to meet the required 1,000 hours.

(3) Fuel gas service technician; provided that the standards adopted in rules shall require 2,000 hours of field experience, or its equivalent in an approved educational setting, within a 60-month period relevant to the installation, servicing, and repair of gas appliances, equipment, or gas piping and that up to 750 hours of relevant field experience installing, servicing, or repairing heating oil fired appliances or equipment within the 60-month period may be used to meet the required 2,000 hours.

(4) Fuel gas piping installer; provided that the standards adopted in rules shall require 1,000 hours of field experience, or its equivalent in an approved educational setting, within a 60-month

period relevant to the installation of gas piping and that up to 500 hours of relevant field experience installing, servicing, or repairing heating oil fired appliances or equipment within the 60-month period may be used to meet the required 1,000 hours.

- (5) Fuel gas trainee.
- (6) Domestic appliance technician.
- (7) Master plumber.
- (8) Journeyman plumber.
- (9) Apprentice plumber.

(b) Standards for license renewal and continuing education requirements. Continuing education requirements may be fulfilled in full or in part by training programs approved by the board. The rules shall address the number of hours of continuing education for each specialty license, and education applicable to holders of multiple specialty licenses.

(c) The implementation of reciprocity agreements entered into pursuant to paragraph V.

II. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the state fire marshal and with the approval of the commissioner of safety, shall establish application fees for licensure, for renewal, for late renewal, and for reinstatement of licenses under this subdivision pursuant to RSA 541-A. Such licensing fees including any endorsements shall not exceed \$500 per individual. The board shall also adopt fees for replacement licenses, for certified copies and reports, for inspections done pursuant to this subdivision, for letters of verification requested by individuals or jurisdictions relating to licensure and certification, and for transcribing and transferring records and other services. The fee for examination by third parties shall be separate from the fees established by the board. Fees shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating expenses of the previous fiscal year. Fees collected shall be deposited in the general fund.

III. Notwithstanding RSA 21-G:9, the board, with an affirmative vote of at least 4 of the appointed board members, in consultation with the state fire marshal and with the approval of the commissioner of safety, shall adopt technical standards for fuel gas fitting and plumbing by rule under RSA 541-A. The board shall use applicable codes as adopted by the state of New Hampshire.

IV. The state fire marshal shall assist and support the board in administering and enforcing the provisions of this subdivision.

V. The board may enter into reciprocity agreements which shall permit the licensing of fuel gas fitters and plumbers from states which have a mutual mechanical licensing reciprocity agreement with this state, for all mechanical licenses listed in paragraph I(a) provided the board determines that the requirements for licensure in that state are equivalent to, or greater than, those established by this subdivision.

Amend RSA 153:29-a, I and II as inserted by section 8 of the bill by replacing them with the following:

I. The ~~[commissioner]~~ **board** may issue a business entity a ~~[gas fitter]~~ license without examination or continuing education requirements to corporations, partnerships, or limited liability companies engaged in fuel gas fitting **and/or plumbing**, provided one or more officers of the corporation, or designee, or one or more members of the partnership, or designee, or one or more managing members of the limited liability company, or designee, hold an active and current license as a ~~[liquefied propane service technician or natural]~~ **fuel gas service technician or master plumber for the appropriate mechanical business entity license, or any combination thereof, provided that the licensee of record is properly licensed for each of the business entities listed by the applicant** under this subdivision. Within 30 days after the death or withdrawal of the licensed person as a corporate officer, or designee, or member of the partnership, or designee, or one or more managing members of the limited liability company, or designee, the licensed person, corporation, partnership, or limited liability company shall give notice thereof to the ~~[commissioner]~~ **board** and, if no other officer, partner, manager or designee, is licensed as a ~~[liquefied propane service technician or natural]~~ **fuel gas service technician or master plumber**, the corporation, or partnership, or limited liability company shall not act as a fuel gas fitter **or plumber** until some other officer, member, or designee, has obtained a license as a ~~[liquefied propane service technician or natural]~~ **fuel gas service technician or master plumber**. Notwithstanding any other provision of law, the ~~[commissioner]~~ **board** shall not require a fee for a ~~[corporation]~~ **business entity** engaged in fuel gas fitting **and/or plumbing** where a licensed ~~[liquefied propane service technician or natural]~~ **fuel gas service technician or master plumber** is the sole ~~[shareholder]~~ **individual holding the license of the [corporation] business entity**.

II. All licenses issued under this section shall expire every 2 years on the last day of ~~December~~ **January**. The ~~commissioner~~ **board** shall renew a valid license issued under this section on receipt of an application for renewal and the required fee before the expiration date of the license. Amend RSA 153:29-a as inserted by section 8 of the bill by inserting after paragraph IV the following new paragraph:

***V. A licensed business entity may apply for and receive a permit from any municipality within the state.***

Amend RSA 153:35 as inserted by section 8 of the bill by replacing it with the following:

153:35 Local Enforcement. The rules adopted ***by the mechanical licensing board*** pursuant to RSA 153:28, may be enforced by the building inspection department or by any officer designated by the administrative authority of the city or town[~~; provided, however, that a city or town may adopt and enforce ordinances more stringent than the rules adopted under this subdivision~~].

Amend RSA 153:36, III through V as inserted by section 8 of the bill by replacing them with the following:

***III. The license requirements of this subdivision shall not apply to any plumbing or fuel gas fitting installations in residential buildings performed by students enrolled in a high school vocational plumbing or fuel gas fitting program approved by the department of education or an approved postsecondary vocational plumbing or fuel gas fitting program, provided such work is performed under the supervision of either a person holding a valid license for the trade that he or she is supervising or by a licensed plumber or fuel gas fitter who is a supervisor of students in cooperative education placements from such programs; and in those cases where the installation is in a new building being constructed as a part of the vocational program, that the installation will be inspected and approved by an individual or group of individuals chosen by the local school districts from persons nominated by the mechanical licensing board. Any person nominated by the board shall hold a master plumber's, fuel gas installation technician, fuel gas service technician, or piping installer license issued by the board.***

***IV. The license requirements of this subdivision shall not apply to employees of public drinking water systems and public water system operators certified by the department of environmental services for drinking water treatment.***

***V. The license requirements of this subdivision shall not apply to any welder who shall hold a current and valid certification for welding as authorized by the American Society of Mechanical Engineers (ASME), who is supervised by a licensed fuel gas fitter or master plumber, for the sole purpose of joining pipe and pipe fittings, through the appropriate certified welding processes, to piping systems, under the direct supervision of the licensed fuel gas fitter or master plumber.***

Amend the bill by replacing section 14 with the following:

14 Application of Act; Transition; Licensure; Rules.

I. Plumbers licensed by the board established in RSA 329-A, prior to repeal by this act, shall continue to be validly licensed until expiration, suspension, or revocation of the license by the mechanical licensing board according to RSA 153:27-37 as amended by this act.

II. Rules of the plumbers board adopted under the provisions of RSA 329-A shall continue to be effective until amended, replaced, superseded, or repealed by the mechanical licensing board pursuant to RSA 153:28.

III. Water treatment technicians certified by the plumbers board prior to the repeal of the plumbers board by this act shall continue to be validly certified until expiration, suspension, or revocation of the certification by the mechanical licensing board according to RSA 153:38 as inserted by this act.

IV. Gas fitters licensed by the department of safety under RSA 153:27-37 prior to the effective date of this act shall continue to be validly licensed until expiration, suspension, or revocation of the license by the mechanical licensing board according to RSA 153:27-37 as amended by this act.

V. Rules adopted by the department of safety under the provisions of RSA 153:28 prior to the effective date of this act shall continue to be effective until amended, replaced, superseded, or repealed by the mechanical licensing board pursuant to RSA 153:28.

VI. Individuals involved in the installation of residential and non-residential heating equipment systems, water heating systems, or appliances using heating oil and individuals involved in the servicing and repair of heating equipment, water heating systems, or appliances using heating oil, certified by the department of safety under RSA 153:16-b prior to the effective date of this act, shall continue to be validly certified until the expiration, suspension, or revocation of the certification by the mechanical licensing board under RSA 153:16-b as amended by this act.

VII. Rules adopted by the department of safety for the voluntary certification program under RSA 153:16-b prior to the effective date of this act shall continue to be effective until amended, replaced, superseded, or repealed by the mechanical licensing board pursuant to RSA 153:16-b as amended by this act.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to pass with Amendment. Rep. Hansberry spoke against and yielded to questions.

Rep. Danais spoke in favor.

On a division vote, 294 members having voted in the affirmative and 53 in the negative, the majority committee report was adopted and referred to the Committee on Ways and Means.

**SB 45**, relative to electronic prescriptions. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Laurie Harding for the Majority of Health, Human Services and Elderly Affairs: This bill begins to address a problem related to the ability of the consumer to obtain a prescription in a timely fashion. Current law requires that the health benefit plan maintain an approval process that does not exceed 48 hours "by which covered persons may obtain coverage for a medically necessary nonformulary prescription drug." The language in SB 45 states that the drug will be considered approved if the exception process exceeds 48 hours. This bill was recommended by a prescription drug study committee in 2012 and has full support of all the involved stakeholders. Vote 16-2.

Rep. Richard E. Meaney for the Minority of Health, Human Services and Elderly Affairs: People will not be denied access to medications if this bill fails, since it solely focuses on third party payment for prescriptions. This bill could promote increased rates of denial of patients' prescriptions by insurance companies because of 48 hour approval period is too short. Insurance companies could automatically deny requests in order to better evaluate the safety, cost and quality of care of the requested medications. The National Committee for Quality Alliance recommends that health plans make decisions within 72 hours for urgent requests. The timeline in this bill is unreasonable and places a greater burden on the already over-regulated and over-burdened health insurance industry.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Meaney spoke against and yielded to questions.

Rep. DiMartino spoke in favor.

On a division vote, 247 members having voted in the affirmative and 101 in the negative, the majority committee report was adopted and ordered to third reading.

**SB 64**, relative to public informational meetings on dams. **OUGHT TO PASS.**

Rep. Leigh A. Webb for Resources, Recreation and Development: This bill, supported by the department of environmental services (DES) and the New Hampshire municipal association, eliminates the requirement that municipalities pay for the notice of a public informational meeting when a private dam owner wishes to conduct unscheduled breach or lowering of water level. The committee heard testimony that the existing requirement was unduly burdensome to certain communities and may, in fact, constitute an unfunded mandate. The responsibility for the notice is, instead, shifted to the dam owner. The bill recognizes the municipality's interest in the information process by stipulating that the local governing body will cooperate with the dam owner in holding a public meeting. In addition, the bill specifies that the public informational meeting be held at least 15 days prior to the breaching of the dam or lowering of the water level of the pond or lake. Vote 13-3. Committee report adopted and ordered to third reading.

Rep. John Hunt declared a conflict of interest and did not participate.

**SB 124-FN**, establishing an integrated land development permit. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne H. Gottling for the Majority of Resources, Recreation and Development: This bill establishes a voluntary alternative process for any project requiring two or more permits from the department of environmental services (DES). This integrated land development permit encompasses four programs: terrain alteration, wetlands, sewage disposal systems and shoreland water quality protection. An applicant may consult with DES before participating. After applying, there is an extensive pre-application technical review followed by a final review. The program allows for early

notification to and involvement of all interested parties such as municipalities, regional commissions, state divisions and departments and federal entities. It significantly shortens the time for completion of the state permitting process. The amendment specifies how a municipality is included in the entire process and sunsets the two positions needed for initial implementation of the program. Vote 14-5. Rep. Andrew Renzullo for the Minority of Resources, Recreation and Development: This bill establishes an integrated land development permit designed to consolidate four separate permits. The minority supports this concept. Unfortunately, the bill (as amended) contains wording establishing two additional positions in the department of environmental services (DES). The minority cannot support this increase in the size of state government, especially as the integrated permit is designed to be an efficiency program.

### **Majority Amendment (1501h)**

Amend RSA 489:3, II as inserted by section 1 of the bill by replacing it with the following:

II. Municipalities may review materials, engage in discussions with the department, conduct independent site visits with the consent of the property owner and the applicant, if other than the property owner, and provide written comment to the department during any or all phases of the integrated land development permit process. Municipalities may attend site visits, attend meetings or participate in discussions between the applicant and the department in accordance with the following:

(a) Municipalities may participate in meetings or other discussions between the department and the applicant during the conceptual and pre-application phases of the integrated land development permit process under RSA 489:5 and RSA 489:6 with the consent of the applicant.

(b) Municipalities may participate in site visits conducted by state or federal regulatory agencies during the conceptual and pre-application phases of the integrated land development permit process under RSA 489:5 and RSA 489:6 with the consent of the property owner and the applicant, if other than the property owner.

(c) If the department concludes that it would promote the efficient and timely consideration of a final application under RSA 489:7, the department may invite the municipality in which the subject property is located to participate in meetings or other discussions between the department and the applicant or attend site visits conducted by state or federal regulatory agencies.

(d) To the extent practicable, site visits by municipalities for the purposes of commenting on a permit application or permit issued under this chapter shall be coordinated with entry upon the property by state or federal regulatory agencies under RSA 489:3, VI.

Amend subparagraph II(b) as inserted by section 2 of the bill by replacing it with the following:

(b) An Environmentalist IV (LG 27) position to be supported by general funds, to provide technical, multi-disciplinary expertise in the permitting review of large, complex projects under the integrated land development permit program.

Amend RSA 489:6, V as inserted by section 1 of the bill by replacing it with the following:

V. The department may invite any state or federal entities notified under paragraph I to participate in pre-application technical review discussions. Other persons or entities may be included at the request of the applicant.

Amend the bill by replacing all after section 7 with the following:

8 Repeal. Paragraph II of section 2 of this act, relative to positions established within the department of environmental services, is repealed.

#### **9 Effective Date.**

I. Sections 1, 6, and 7 of this act shall take effect January 1, 2015.

II. Sections 3-5 of this act shall take effect 60 days after its passage.

III. Section 8 of this act shall take effect June 30, 2015.

IV. The remainder of this act shall take effect upon its passage.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Renzullo spoke against.

### **(Speaker Norelli in the Chair)**

Rep. Gottling spoke in favor.

Rep. Ebel requested a roll call; sufficiently seconded.

**YEAS 218 NAYS 137****YEAS 218****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

**CARROLL**

Ahlgren, Christopher  
Merrow, Harry  
White, Syndi

Buco, Thomas  
Nelson, Bill

Butler, Edward  
Schmidt, Stephen

Lavender, Tom  
Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Mann, John  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Hunt, John  
Phillips, Larry  
Tatro, Bruce

Butynski, William  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Theberge, Robert

Hammon, Marcia

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Cote, David  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Judy, Jean  
Levesque, Melanie  
McCloskey, David  
Porter, Marjorie  
Sanborn, Laurie  
Soucy, Timothy  
Sullivan, Peter  
Williams, Carol

Beaulieu, Jane  
Carroll, Douglas  
Culbert, Patrick  
Gale, Sylvia  
Grady, Brenda  
Heden, Ruth  
Knowles, Mary Ann  
Long, Patrick  
Nelson, Mary  
Rhodes, Brian  
Schmidt, Janice  
Souza, Kathleen  
Vail, Suzanne  
Williams, Kermit

Booras, Efstathia  
Chandlee, Shannon  
DiSilvestro, Linda  
Gidge, Kenneth  
Hackel, Paul  
Infantine, William  
Kopka, Angeline  
MacKay, Mariellen  
O'Brien, Michael Sr  
Rokas, Ted  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr  
Woodbury, David

Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
O'Neil, William  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Daniel  
Willette, Robert

**MERRIMACK**

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

**ROCKINGHAM**

Allen, Mary	Belanger, Ronald	Borden, David	Briden, Steven
Burtis, Elizabeth	Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Jr
Elliott, Robert	Emerson-Brown, Rebecca	Flockhart, Eileen	Heffron, Frank
Helmstetter, Barbara	Kolodziej, Walter	Lovejoy, Patricia	Lundgren, David
Mann, Maureen	Moody, Marcia	Muns, Chris	Nigrello, Robert
Pantelakos, Laura	Peckham, Michele	Sanders, Elisabeth	Scarlottto, Joe
Schlachman, Donna	Schroadter, Adam	Sherman, Thomas	St.James, Kevin
Sweeney, Joe	Till, Mary	Ward, Gerald	Waterhouse, Kevin
Wazlaw, Brian	Whittemore, Lisa		

**STRAFFORD**

Baber, William	Berube, Roger	Bickford, David	Bixby, Peter
Burdwood, Greg	Burke, Rachel	Gardner, Janice	Ginsburg, Philip
Grassie, Anne	Gray, James	Grossman, Kenneth	Hooper, Dorothea
Horrigan, Timothy	Hubbard, Pamela	Ketel, Stephen	Malloy, Dennis
Menear, H. Robert III	Miller, David	Perry, Robert	Rogers, Rose Marie
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spainhower, Dale
Spang, Judith	Stevens, Audrey	Verschueren, James	Wall, Janet

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Lefebvre, Benjamin	O'Hearne, Andrew	Rollins, Skip
Schmidt, Andrew	Sweeney, Cynthia		

**NAYS 137****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fink, Charles
Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen	Luther, Robert
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Worsman, Colette

**CARROLL**

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Umberger, Karen	Wright, Donald		

**CHESHIRE**

Emerson, Susan	Johnson, Jane	Parkhurst, Henry
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**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond	Ladd, Rick Jr
Reilly, Harold Sr			

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Daniels, Gary	Danielson, David	Dobson, Jeremy	Flanagan, Jack
Gagne, Larry	Garcia, Michael	Graham, John	Haefner, Robert
Hansen, Peter	Hikel, John	Hinch, Richard	Hopper, Gary
Jasper, Shawn	Katsiantonis, Thomas	Kurk, Neal	Lambert, George
LeBrun, Donald	LeVasseur, Richard	Marston, Dick	Martel, Andre
Meaney, Richard	Murotake, David	Murphy, Keith	Notter, Jeanine
O'Brien, William	O'Flaherty, Tim	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Parison, James	Pellegrino, Tony	Peterson, Lenette
Pratt, Calvin	Renzullo, Andrew	Rowe, Robert	Sandblade, Emily
Straight, Philip	Stroud, Kathleen	Ulery, Jordan	Vaillancourt, Steve
Villeneuve, Moe	Warden, Mark	Winters, Joel	



**MERRIMACK**Hess, David  
McGuire, DanHoell, J.R.  
Reed, DennisKotowski, Frank  
Smith, Todd

McGuire, Carol

**ROCKINGHAM**Abrami, Patrick  
Charron, Gene  
Danaïs, Romeo  
Ferrante, Beverly  
Garcia, Marilinda  
Hagan, Joseph  
Hoelzel, Kathleen  
Khan, Aboul  
O'Connor, John  
Perkins, Lawrence  
Sedensky, John  
Weyler, KennethBaldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Fesh, Robert  
Gordon, Richard  
Harris, Jeffrey  
Introne, Robert  
Major, Norman  
Oligny, Jeffrey  
Priestley, Anne  
Sytek, JohnBick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Friel, William  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
McMahon, Charles  
Packard, Sherman  
Rice, Frederick  
Tamburello, DanielBirdsell, Regina  
Copeland, Timothy  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Milz, David  
Perkins, Amy  
Sapareto, Frank  
Tucker, Pamela**STRAFFORD**

Groen, Warren

Jones, Laura

Mullen, John Jr

Pitre, Joseph

**SULLIVAN**

Smith, Steven

and the majority committee report was adopted and referred to the Committee on Finance.

**SB 163**, establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Brian Wazlaw for Resources, Recreation and Development: The bill establishes a commission that will recommend legislation, rules and other actions to address the risks certain hazards pose. The commission will bring together state agencies, environmental organizations, scientists, businesses and insurers to examine projected sea level rise, coastal watershed hazards such as storms, river flooding and storm water run off and the risks such hazards pose to municipalities and the state of New Hampshire. The commission will review national oceanic and atmospheric administration and other scientific agency projections of coastal storm inundation and flood risk to determine the appropriate information, data and property risks. The amendment corrects the names of two regional planning boards. Vote 12-8.

**Amendment (1367h)**

Amend RSA 483-E:2, I(q)-(r) as inserted by section 1 of the bill by replacing them with the following:

(q) A representative of the Strafford regional planning board, appointed by that body.

(r) A representative of the Rockingham regional planning board, appointed by that body.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Renzullo spoke against.

Reps. Wazlaw, Muns and Frederick Rice spoke in favor and yielded to questions.

Rep. Tamburello requested a roll call; sufficiently seconded.

**YEAS 228 NAYS 124**

**YEAS 228**

**BELKNAP**Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

**CARROLL**Buco, Thomas  
Nelson, BillButler, Edward  
Ticehurst, SusanCrawford, Karel  
White, SyndiLavender, Tom  
Wright, Donald

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Ley, Douglas	Mann, John	Parkhurst, Henry	Phillips, Larry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles	Young, Harry	

**COOS**

Coulombe, Gary	Hammon, Marcia	Hatch, William	Moynihan, Wayne
Richardson, Herbert	Theberge, Robert		

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Harding, Laurie
Higgins, Patricia	Lauer, Linda	Lovett, Sid	Massimilla, Linda
Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Christiansen, Lars
Coffey, James	Connor, Evelyn	Cote, David	Culbert, Patrick
DiSilvestro, Linda	Dobson, Jeremy	Eaton, Richard	Gage, Ruth
Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Graham, John	Hackel, Paul	Hammond, Jill
Hansberry, Daniel	Heden, Ruth	Jack, Martin	Jeady, Jean
Katsiantonis, Thomas	Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr
McCloskey, David	McNamara, Richard	Murotake, David	Nelson, Mary
O'Brien, Michael Sr	O'Neil, William	Porter, Marjorie	Pratt, Calvin
Rhodes, Brian	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Shaw, Barbara	Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel
Sullivan, Peter	Vail, Suzanne	Walsh, Robert Jr	Willette, Robert
Williams, Carol	Williams, Kermit	Winters, Joel	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bouchard, Candace	Burns, Scott
Carey, Lorrie	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	Frazer, June	French, Barbara	Gile, Mary
Hirsch, Geoffrey	Hunt, Jane	Karrick, David Jr	Kidder, David
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Richardson, Gary	Rogers, Katherine	Schamberg, Thomas
Schuett, Dianne	Shurtleff, Stephen	Tilton, Joy	Turcotte, Alan
Wallner, Mary Jane	Walz, Mary Beth	Watrous, Rick	Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Bick, Patrick	Borden, David
Briden, Steven	Burtis, Elizabeth	Cahill, Michael	Cali-Pitts, Jacqueline
Copeland, Timothy	Cushing, Robert Jr	Emerick, J. Tracy	Emerson-Brown, Rebecca
Flockhart, Eileen	Harris, Jeffrey	Hayes, Jack	Heffron, Frank
Helmstetter, Barbara	Khan, Aboul	Lovejoy, Patricia	Lundgren, David
Mann, Maureen	Moody, Marcia	Muns, Chris	Nigrello, Robert
Oigny, Jeffrey	Pantelakos, Laura	Peckham, Michele	Perkins, Amy
Perkins, Lawrence	Rice, Frederick	Scarlottio, Joe	Schlachman, Donna
Schroadter, Adam	Sherman, Thomas	Sweeney, Joe	Sytek, John
Till, Mary	Ward, Gerald	Waterhouse, Kevin	Wazlaw, Brian
Whittemore, Lisa			

**STRAFFORD**

Baber, William  
Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith

Berube, Roger  
Burke, Rachel  
Grossman, Kenneth  
Jones, Laura  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Bickford, David  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschuere, James

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
Lefebvre, Benjamin

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

**NAYS 124****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Morrow, Harry

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
Umberger, Karen

McConkey, Mark

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Flanagan, Jack  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Stroud, Kathleen  
Villeneuve, Moe

Belanger, James  
Cebrowski, John  
Gagne, Larry  
Hikel, John  
Kurk, Neal  
Marston, Dick  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Sweeney, Shawn  
Warden, Mark

Boehm, Ralph  
Daniels, Gary  
Garcia, Michael  
Hinch, Richard  
Lambert, George  
Martel, Andre  
O'Brien, William  
Palmer, Stephen  
Renzullo, Andrew  
Souza, Kathleen  
Ulery, Jordan

Burt, John  
Danielson, David  
Haefner, Robert  
Infantine, William  
LeBrun, Donald  
Meaney, Richard  
O'Flaherty, Tim  
Parison, James  
Rowe, Robert  
Straight, Philip  
Vaillancourt, Steve

**MERRIMACK**

Hess, David  
McGuire, Carol

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank  
Reed, Dennis

Lockwood, Priscilla

**ROCKINGHAM**

Baldasaro, Alfred  
Comerford, Timothy  
Elliott, Robert

Belanger, Ronald  
Danais, Romeo  
Ferrante, Beverly

Charron, Gene  
Devine, James  
Fesh, Robert

Chirichiello, Brian  
Duarte, Joe  
Friel, William

Garcia, Bianca  
Griffin, Mary  
Introne, Robert  
Major, Norman  
Packard, Sherman  
Sedensky, John

Garcia, Marilinda  
Hagan, Joseph  
Itse, Daniel  
McMahon, Charles  
Priestley, Anne  
St.James, Kevin

Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
Milz, David  
Sanders, Elisabeth  
Tamburello, Daniel

Grace, Curtis  
Hoelzel, Kathleen  
Kolodziej, Walter  
O'Connor, John  
Sapareto, Frank  
Tucker, Pamela

### STRAFFORD

Gray, James

Groen, Warren

Mullen, John Jr

Pitre, Joseph

### SULLIVAN

Rollins, Skip

Smith, Steven

and the committee report was adopted and ordered to third reading.

**SB 164**, authorizing coastal management provisions in master plans. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Suzanne J. Smith for the Majority of Resources, Recreation and Development: This bill, as amended, allows municipalities to include a coastal management section in their master plans. Municipalities who choose this option can then address planning needs resulting from projected coastal property or habitat loss due to increased frequency of storm surge or flooding. Vote 11-9.

Rep. Andrew Renzullo for the Minority of Resources, Recreation and Development: This bill authorizes coastal management provisions in master plans based on projected coastal risks and increased frequency of storm surge, flooding and inundation. The bill is very specific. These risks and frequency are not happening at present, but are based solely on someone's theory. Whereas local ordinances are based on a master plan, and whereas local ordinances limit property uses, this bill authorizes the limitation on property rights based on a theory and not fact. In addition, a related bill, SB 163, has passed the committee which establishes a commission to recommend legislation to prepare for projected sea level rise. As the SB 163 commission has yet to do its work, it is reasonable to argue that the provisions of this bill (SB 164) are, at best, premature as they are not based on a recommendation of the SB 163 commission who have not yet rigorously vetted the science behind the theory.

### Amendment (1366h)

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

Amendment adopted.

### MOTION TO LAY ON THE TABLE

Rep. Renzullo moved that **SB 164**, authorizing coastal management provisions in master plans, be laid on the table.

On a division vote, 156 members having voted in the affirmative and 194 in the negative, the motion failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Renzullo spoke against.

Rep. Suzanne Smith spoke in favor and yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 210 NAYS 143**

### YEAS 210

### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa  
Tilton, Franklin

Gulick, Ruth  
Vadney, Herbert

Huot, David

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Burridge, Delmar  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Theberge, Robert

Hatch, William

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Cote, David  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Peter  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
Culbert, Patrick  
Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Jeudy, Jean  
Levesque, Melanie  
McCloskey, David  
O'Flaherty, Tim  
Rosenwald, Cindy  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Booras, Efstathia  
Chandley, Shannon  
Danielson, David  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Katsiantonis, Thomas  
Long, Patrick  
McNamara, Richard  
O'Neil, William  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Brown, Pamela  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Heden, Ruth  
Knowles, Mary Ann  
MacKay, Mariellen  
Nelson, Mary  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Carol

**MERRIMACK**

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Burns, Scott  
Ebel, Karen  
Gile, Mary  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

**ROCKINGHAM**

Belanger, Ronald  
Cahill, Michael  
Elliott, Robert  
Griffin, Mary  
Khan, Aboul  
Muns, Chris  
Perkins, Lawrence  
Sytek, John  
Whitemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
Emerick, J. Tracy  
Hayes, Jack  
Lovejoy, Patricia  
Pantelakos, Laura  
Priestley, Anne  
Till, Mary

Briden, Steven  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Heffron, Frank  
Mann, Maureen  
Peckham, Michele  
Schlachman, Donna  
Ward, Gerald

Burtis, Elizabeth  
Cushing, Robert Jr  
Flockhart, Eileen  
Helmstetter, Barbara  
Moody, Marcia  
Perkins, Amy  
Sherman, Thomas  
Wazlaw, Brian

**STRAFFORD**

Baber, William  
Burdwood, Greg

Berube, Roger  
Burke, Rachel

Bickford, David  
Gardner, Janice

Bixby, Peter  
Ginsburg, Philip

Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Grossman, Kenneth  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschuere, James

Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Horrigan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith

### **SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

### **NAYS 143**

### **BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cornier, Jane  
Greemore, Robert Jr  
Worsman, Colette

Fields, Dennis  
Holmes, Stephen

### **CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

### **CHESHIRE**

Emerson, Susan

Hunt, John

Johnson, Jane

### **COOS**

Rappaport, Laurence

Rideout, Leon

### **GRAFTON**

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

### **HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Villeneuve, Moe

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Sweeney, Shawn  
Warden, Mark

Boehm, Ralph  
Christiansen, Lars  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
Meaney, Richard  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Ulery, Jordan  
Willette, Robert

Burt, John  
Coffey, James  
Garcia, Michael  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Murotake, David  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Vaillancourt, Steve  
Winters, Joel

### **MERRIMACK**

Hess, David  
Lockwood, Priscilla  
Smith, Todd

Hoell, J.R.  
McGuire, Carol

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Reed, Dennis

### **ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Danais, Romeo  
Friel, William

Allen, Mary  
Charron, Gene  
Duarte, Joe  
Garcia, Bianca

Baldasaro, Alfred  
Chirichiello, Brian  
Ferrante, Beverly  
Garcia, Marilinda

Bick, Patrick  
Comerford, Timothy  
Fesh, Robert  
Gordon, Richard

Grace, Curtis  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 Milz, David  
 Packard, Sherman  
 Scarlotto, Joe  
 Sweeney, Joe  
 Weyler, Kenneth

Hagan, Joseph  
 Introne, Robert  
 Lundgren, David  
 Nigrello, Robert  
 Rice, Frederick  
 Schroadtter, Adam  
 Tamburello, Daniel

Harris, Jeffrey  
 Itse, Daniel  
 Major, Norman  
 O'Connor, John  
 Sanders, Elisabeth  
 Sedensky, John  
 Tucker, Pamela

Hodgdon, Bruce  
 Kappler, Lawrence  
 McMahon, Charles  
 Oligny, Jeffrey  
 Sapareto, Frank  
 St.James, Kevin  
 Waterhouse, Kevin

### STRAFFORD

Gray, James  
 Pitre, Joseph

Groen, Warren

Jones, Laura

Mullen, John Jr

### SULLIVAN

Rollins, Skip

and the committee report was adopted and ordered to third reading.

The House recessed at 12:05 p.m.

### RECESS

The House reconvened at 1:15 p.m.

**(Speaker Norelli in the Chair)**

### REGULAR CALENDAR (CONT'D)

**SCR 1**, relative to special use permits in the White Mountain National Forest. **OUGHT TO PASS.** Rep. Suzanne J. Smith for Resources, Recreation and Development: This resolution recognizes the White Mountain National Forest's economic and social importance and its unique environmental and natural characteristics. The legislature, through this resolution, recommends that the United States Department of Agriculture consider these critical elements when reviewing and deliberating on any special use permits for property located in the White Mountain National Forest. Vote 18-1. Rep. Cushing offered floor amendment (1554h).

### Floor Amendment (1554h)

Amend the title of the resolution by replacing it with the following:

**A RESOLUTION** relative to special use permits in the White Mountain National Forest, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans, and requesting **Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.**

Amend the resolution by replacing all after the title with the following:

Whereas, the New Hampshire general court has adopted numerous resolutions relative to the White Mountain National Forest over the last two decades, including HR 25 in the 1993 session, HJR 7 in the 1999 session, HR 9 in the 1999 session, HCR 25 in the 2000 session, SJR 1 in the 2000 session, and SCR 2 in 2012; and

Whereas, each of these resolutions has affirmed and communicated the strong support of the people of New Hampshire, through their elected representatives, for multiple use management in the White Mountain National Forest, including sustainable forest and wildlife habitat management, and traditional recreational uses such as hiking, fishing, hunting, downhill and cross-country skiing, and snowmobiling; and

Whereas, the White Mountain National Forest, established by the Weeks Act almost a century ago, through the efforts of New Hampshire citizens, represents the successful application of the principles of natural resource protection combined with multiple use; and

Whereas, conservation and preservation of the 800,000-acre Forest's lands, watersheds, wildlife habitats, natural scenic beauty, and resource use and recreation was the intent of the 1911 Weeks Act; and

Whereas, this approach has become a tradition and the ethic for the forest throughout its 100 plus years of successful service to the citizens of the north country, the state, and the country; and

Whereas, any diversion from this tradition and ethic will have an adverse effect on the forest's ability to continue to meet the needs of the communities of the north country and its 5,000,000 users per year, the American public; and

Whereas, New Hampshire is a proud and patriotic state with approximately 131,000 veterans with the majority over the age of 65 who have served their country bravely and risked their lives to preserve our country's freedom and democracy, and their sacrifices on our behalf are deserving of an upgraded medical delivery system to meet their health care needs; and

Whereas, New Hampshire is largely a rural state with limited access to the interstate highway system requiring veterans residing in many rural communities who may be ill and elderly to travel many miles to appointments for even minor procedures often placing undue and unnecessary stress on sick or injured veterans and their families; and

Whereas, many New Hampshire veterans residing in rural communities frequently miss essential checkups and therapies due to inclement weather and lack of proper transportation; and

Whereas, timely medical treatment would improve the overall health and quality of life of veterans by preventing numerous strokes, by-passes, amputations, and other costly but preventable conditions; and

Whereas, many New Hampshire veterans over the age of 65 do not have access to a primary care provider; and

Whereas, veterans residing in rural communities deserve the same level of care as veterans residing in other areas of the state; and

Whereas, New Hampshire is one of only 2 states in the nation without a full-service hospital, requiring veterans to travel to Vermont, Massachusetts, Maine, and Rhode Island for medical treatment; and

Whereas, adequate care of our veterans should be the concern of all Americans; and

Whereas, government was established to provide a social contract between naturally born persons; and

Whereas, the founders of the United States Constitution and Republic clearly and emphatically intended freedom of speech to mean freedom to communicate with and by natural born persons either directly or through the free press; and

Whereas, the United States Supreme Court ruled on January 21, 2010 in Citizens United v. Federal Election Commission that corporations have the same First Amendment rights as people, and that they can spend unlimited amounts of money on elections; and

Whereas, the Supreme Court is misguided in principle, and wrong on the law, because in a democracy, the people rule; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring:

That the general court reaffirms its commitment to the principles underlying the Weeks Act, and supports continued management of the White Mountain National Forest for multiple uses as a part of the National Forest System; and

That consideration by the United States Department of Agriculture (USDA) Forest Service of any special use permit in the White Mountain National Forest should recognize the Forest's economic and social importance, its character and presence within the New England region, and its unique environmental and natural characteristics; and

That the New Hampshire general court respectfully urges the Congress of the United States and the Department of Veterans Affairs to fulfill the Department's goal of providing excellence in patient care by increasing the types of and access to specialty care at a full service VA Manchester Medical Center, or by developing a pilot program to utilize a veteran's medical card for use in New Hampshire's medical facilities in order to provide better care to veterans residing in rural areas, or by the establishment of additional community based outpatient clinics, outpatient clinics, or vet centers as justified by veterans' medical and mental health needs along with greater use of mobile clinics, and where cost effective, enter into contract services with the goal of increasing services and reducing travel time to ensure access to health care is available when it is needed; and

That the general court urges the New Hampshire congressional delegation to encourage and expedite a constitutional amendment to firmly establish:

I. That human beings, not corporations, are endowed with Constitutional rights protected by the First Amendment; and

II. That money is not speech, and therefore regulating political contributions and spending is not equivalent to limited political speech; and



III. That the freedoms of speech and the press, and the right to assemble peaceably and to petition the government for the redress of grievances, as protected by this Constitution, shall not encompass the speech, association, or other activities of any corporation or other artificial entity created for business purposes, except for a corporation or entity whose business is the publication or broadcasting of information, when such corporation or entity is engaged in that business. A corporation or other artificial entity created for business purposes includes a corporation or entity that, although not itself engaged in business pursuits, receives the majority of its funding from other corporations or artificial entities created for business purposes; and constitutional rights; and

That the house clerk forward official copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the majority and minority leadership of the Senate, the Secretary of Veterans Affairs, to Thomas Tidwell, the chief of the USDA Forest Service, and to all the members of the New Hampshire congressional delegation with the request that this resolution be officially entered in the Congressional Record as a high priority for the Congress of the United States of America.

### AMENDED ANALYSIS

This concurrent resolution:

I. Declares that the United States Department of Agriculture Forest Service shall consider certain unique characteristics of the White Mountain National Forest when reviewing and deliberating on any special use permit for property located in the White Mountain National Forest.

II. Urges Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans.

III. Urges the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

Rep. Cushing spoke in favor.

Rep. Baldasaro spoke against and yielded to questions.

### MOTION TO LAY ON THE TABLE

Rep. John Hunt moved that **SCR 1**, relative to special use permits in the White Mountain National Forest, be laid on the table.

On a division vote, 163 members having voted in the affirmative and 154 in the negative, the motion was adopted.

### REGULAR CALENDAR CONT'D

**SB 128-FN-L**, relative to fees for vital records. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary R. Cooney for Ways and Means: The development of a centralized vital records system is in the public interest and has been made possible by the advance in computer technology. Housed in the secretary of state's office, the funding mechanism for this data base is through the collection of two vital records fees. There is a \$15.00 fee for original documents and \$10.00 for additional copies or correction documents. This bill does not change the fee in either case but does change the allocation of the fees. In the first case \$8.00 to the vital records improvement fund in the secretary of state's office, \$4.00 to the municipalities, and \$3.00 to the general fund. In the second case, \$5.00 goes to the vital records fund, \$3.00 to the municipalities, and \$2.00 to the general fund. This bill changes the distribution of the total so that the general fund receives nothing, but that portion goes to the city and town clerks of the municipalities. This was the original intent of the fee and especially now with the access of municipalities to the statewide data base, cities in particular are experiencing a great increase in requests from citizens from outside their own municipality for these records. Because this bill as written would impact the 2014-2015 budget by \$618,000, the committee amended the bill to make the effective date July 1, 2015 so there will be no impact to the 2014-2015 budget. Vote 14-1.

### Amendment (1377h)

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect July 1, 2015.

Amendment adopted.

Committee report adopted and ordered to third reading.

**BILLS REMOVED FROM THE CONSENT CALENDAR*****SB 170*, relative to advance directives pertaining to life-sustaining treatment. **OUGHT TO PASS WITH AMENDMENT.****

Rep. Richard E. Meaney for Health, Human Services and Elderly Affairs: This bill removes a section of the state's advance directive law that people found confusing. Advance directives were difficult to complete because two references in the current law were contradictory concerning medically administered nutrition and hydration. This bill, as amended, removes contradictory language, but ensures that people who wish to address medically administered nutrition and hydration are prompted to do so in a clear manner within the body of the advance directive. Vote 19-0.

**Amendment (1303h)**

Amend RSA 137-J:20(B) by replacing the first sentence following the phrase ADDITIONAL INSTRUCTIONS with the following:

Here you may include any specific desires or limitations you deem appropriate, such as your preferences concerning medically administered nutrition and hydration, when or what life-sustaining treatment you would want used or withheld, or instructions about refusing any specific types of treatment that are inconsistent with your religious beliefs or are unacceptable to you for any other reason. Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Peterson spoke against.

Rep. Souza spoke against and yielded to questions.

**MOTION TO LAY ON THE TABLE**

Rep. Itse moved that ***SB 170***, relative to advance directives pertaining to life-sustaining treatment, be laid on the table.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 125 NAYS 209****YEAS 125****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fink, Charles
Flanders, Donald	Greemore, Robert Jr	Gulick, Ruth	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Worsman, Colette	

**CARROLL**

Cordelli, Glenn	Lavender, Tom	McConkey, Mark	Umberger, Karen
Wright, Donald			

**CHESHIRE**

Butynski, William	Parkhurst, Henry
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**COOS**

Rappaport, Laurence	Rideout, Leon
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**GRAFTON**

Bradley, Lester	Gionet, Edmond	Massimilla, Linda
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**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Cebrowski, John	Christiansen, Lars	Daniels, Gary	Danielson, David
Haefner, Robert	Hansen, Peter	Hikel, John	Hopper, Gary
Infantine, William	Lambert, George	LeBrun, Donald	LeVasseur, Richard
Marston, Dick	Martel, Andre	Meaney, Richard	Murotake, David
Nelson, Mary	Notter, Jeanine	O'Brien, William	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Parison, James	Pellegrino, Tony
Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew	Rosenwald, Cindy

Rowe, Robert  
Souza, Kathleen  
Villeneuve, Moe

Sanborn, Laurie  
Straight, Philip  
Warden, Mark

Sandblade, Emily  
Sweeney, Shawn  
Willette, Robert

Soucy, Timothy  
Ulery, Jordan

### MERRIMACK

Hoell, J.R.  
Tilton, Joy

McGuire, Carol

McGuire, Dan

Patten, Dick

### ROCKINGHAM

Allen, Mary  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Friel, William  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
Milz, David  
Peckham, Michele  
Rice, Frederick  
St.James, Kevin  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Duarte, Joe  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
Nigrello, Robert  
Perkins, Amy  
Sanders, Elisabeth  
Tamburello, Daniel

Bick, Patrick  
Chirichiello, Brian  
Elliott, Robert  
Garcia, Marilinda  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
O'Connor, John  
Perkins, Lawrence  
Sapareto, Frank  
Tucker, Pamela

Birdsell, Regina  
Comerford, Timothy  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
Oligny, Jeffrey  
Priestley, Anne  
Schroadter, Adam  
Waterhouse, Kevin

### STRAFFORD

Berube, Roger  
Jones, Laura

Bickford, David  
Mullen, John Jr

Groen, Warren  
Pitre, Joseph

Hooper, Dorothea

### SULLIVAN

Gagnon, Raymond

Smith, Steven

### NAYS 209

### BELKNAP

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Holmes, Stephen

Huot, David

### CARROLL

Ahlgren, Christopher  
Morrow, Harry  
White, Syndi

Buco, Thomas  
Nelson, Bill

Butler, Edward  
Schmidt, Stephen

Chandler, Gene  
Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Johnson, Jane  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Emerson, Susan  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Hunt, John  
Mann, John  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

### COOS

Coulombe, Gary  
Theberge, Robert

Hatch, William

Moynihan, Wayne

Richardson, Herbert

### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Sykes, George

Almy, Susan  
Ford, Susan  
Ladd, Rick Jr  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Booras, Elstathia	Brown, Pamela
Byron, Frank	Campbell, David	Carroll, Douglas	Chandley, Shannon
Coffey, James	Connor, Evelyn	Cote, David	Culbert, Patrick
DiSilvestro, Linda	Dobson, Jeremy	Eaton, Richard	Fianagan, Jack
Gage, Ruth	Gagne, Larry	Gale, Sylvia	Garcia, Michael
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Grady, Brenda
Graham, John	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Heden, Ruth	Hinch, Richard	Jack, Martin	Jasper, Shawn
Jeady, Jean	Katsiantonis, Thomas	Knowles, Mary Ann	Kurk, Neal
Leishman, Peter	Levesque, Melanie	Long, Patrick	MacKay, Mariellen
Manley, Jonathan Sr	McCloskey, David	McNamara, Richard	O'Brien, Michael Sr
O'Neil, William	Porter, Marjorie	Ramsey, Peter	Rhodes, Brian
Rokas, Ted	Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara
Spratt, Stephen	Stroud, Kathleen	Sullivan, Daniel	Sullivan, Peter
Vail, Suzanne	Vaillancourt, Steve	Walsh, Robert Jr	Williams, Kermit
Winters, Joel	Woodbury, David		

**MERRIMACK**

Bartlett, Christy	Bouchard, Candace	Burns, Scott	Carey, Lorrie
Carson, Clyde	Ebel, Karen	Frambach, Mary	Frazer, June
French, Barbara	Gile, Mary	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kidder, David	Kotowski, Frank	Lockwood, Priscilla
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuetz, Dianne
Shurtleff, Stephen	Turcotte, Alan	Wallner, Mary Jane	Walz, Mary Beth
Webb, Leigh			

**ROCKINGHAM**

Abrami, Patrick	Belanger, Ronald	Borden, David	Briden, Steven
Burtis, Elizabeth	Cahill, Michael	Copeland, Timothy	Danais, Romeo
Emerson-Brown, Rebecca	Flockhart, Eileen	Heffron, Frank	Helmstetter, Barbara
Lovejoy, Patricia	Mann, Maureen	McMahon, Charles	Moody, Marcia
Muns, Chris	Packard, Sherman	Pantelakos, Laura	Scarlottio, Joe
Schlachman, Donna	Sedensky, John	Sherman, Thomas	Sweeney, Joe
Sytek, John	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Bixby, Peter	Burdwood, Greg	Burke, Rachel
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Gray, James
Grossman, Kenneth	Horriggan, Timothy	Hubbard, Pamela	Ketel, Stephen
Malloy, Dennis	Miller, David	Perry, Robert	Rogers, Rose Marie
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spainhower, Dale
Spang, Judith	Stevens, Audrey	Verschueren, James	Wall, Janet

**SULLIVAN**

Cloutier, John	Gottling, Suzanne	Grenier, James	Irwin, Virginia
Lefebvre, Benjamin	O'Hearne, Andrew	Rollins, Skip	Schmidt, Andrew
Sweeney, Cynthia			

and the motion failed.

The question now being adoption of the committee report of Ought to pass with Amendment. Rep. Sherman spoke in favor.

On a division vote, 244 members having voted in the affirmative and 90 in the negative, the committee report was adopted and ordered to third reading.

**SB 194-FN**, requiring the department of health and human services to implement the Medicaid family planning expansion. **OUGHT TO PASS.**

Rep. Laurie Harding for Health, Human Services and Elderly Affairs: This bill will allow thousands of men and women to receive services for family planning related medical services including well women exams, cancer screenings, breast exams, birth control, treatment for sexually transmitted diseases and health counseling. It will allow NH to access up to 4 million dollars in federal funds each year to support family planning interventions. One third of the births in NH are to Medicaid moms. The implementation of this program is projected to cut down on the births of 800 babies a year. NH will be the 27th state to sign onto this program. While the implementation of this program has been delayed, a public private partnership has enabled the department (DHHS) to move forward. The House put the money in the budget for this program with the assumption that it would provide a safety net for NH citizens and would avert devastating low birth weight babies and other complications that can result in long term and very expensive health problems. SB 194 is the policy side of this process and will direct the use of the federal dollars. Vote 17-2.

Reps. Notter, Souza and Groen spoke against.

Rep. Harding spoke in favor.

Rep. Bouchard requested a roll call; sufficiently seconded.

## YEAS 212 NAYS 120

### YEAS 212

#### BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

#### CARROLL

Buco, Thomas  
Merrow, Harry  
White, Syndi

Butler, Edward  
Schmidt, Stephen

Lavender, Tom  
Ticehurst, Susan

McConkey, Mark  
Umberger, Karen

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Phillips, Larry  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

#### COOS

Hatch, William

Moynihan, Wayne

Richardson, Herbert

Theberge, Robert

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Almy, Susan  
Ford, Susan  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Ladd, Rick Jr  
Nordgren, Sharon  
Sykes, George

Brown, Rebecca  
Gionet, Edmond  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

#### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gage, Ruth  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Kurk, Neal  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Judy, Jean  
Leishman, Peter  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian

Booras, Efstathia  
Chandley, Shannon  
Dobson, Jeremy  
Gidge, Kenneth  
Graham, John  
Heden, Ruth  
Katsiantonis, Thomas  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Rokas, Ted

Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Goley, Jeffrey  
Hackel, Paul  
Infantine, William  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Rosenwald, Cindy

Schmidt, Janice  
Spratt, Stephen  
Vaillancourt, Steve

Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr

Shaw, Barbara  
Sullivan, Peter  
Williams, Kermit

Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frazer, June  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan

Bartlett, Christy  
Carson, Clyde  
French, Barbara  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Burns, Scott  
Frambach, Mary  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

### ROCKINGHAM

Abrami, Patrick  
Burtis, Elizabeth  
Copeland, Timothy  
Flockhart, Eileen  
Lovejoy, Patricia  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Belanger, Ronald  
Cahill, Michael  
Cushing, Robert Jr  
Heffron, Frank  
Major, Norman  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Helmstetter, Barbara  
Mann, Maureen  
Pantelakos, Laura  
Sweeney, Joe

Briden, Steven  
Charron, Gene  
Emerson-Brown, Rebecca  
Khan, Aboul  
McMahon, Charles  
Scarlotta, Joe  
Ward, Gerald

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Malloy, Dennis  
Rollo, Deanna  
Spang, Judith

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Miller, David  
Schmidt, Peter  
Stevens, Audrey

Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip

### NAYS 120

### BELKNAP

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Flanders, Donald  
Tilton, Franklin

Cormier, Jane  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

### CARROLL

Ahlgren, Christopher

Cordelli, Glenn

Nelson, Bill

Wright, Donald

### CHESHIRE

Johnson, Jane

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bradley, Lester

### HILLSBOROUGH

Barry, Richard  
Byron, Frank

Belanger, James  
Cebrowski, John

Boehm, Ralph  
Christiansen, Lars

Burt, John  
Coffey, James

Culbert, Patrick  
Gagne, Larry  
Hikel, John  
Lambert, George  
Meaney, Richard  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Villeneuve, Moe

Daniels, Gary  
Garcia, Michael  
Hinch, Richard  
LeBrun, Donald  
Murotake, David  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Warden, Mark

Danielson, David  
Haefner, Robert  
Hopper, Gary  
LeVasseur, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Sweeney, Shawn  
Willette, Robert

Flanagan, Jack  
Hansen, Peter  
Jasper, Shawn  
Marston, Dick  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Ulery, Jordan  
Winters, Joel

### MERRIMACK

Hess, David

Hoell, J.R.

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Allen, Mary  
Chirichiello, Brian  
Friel, William  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
O'Connor, John  
Perkins, Amy  
Sanders, Elisabeth  
St.James, Kevin  
Waterhouse, Kevin

Baldasaro, Alfred  
Comerford, Timothy  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Kolodziej, Walter  
Oigny, Jeffrey  
Perkins, Lawrence  
Sapareto, Frank  
Sytek, John  
Weyler, Kenneth

Bick, Patrick  
Danais, Romeo  
Garcia, Marilinda  
Hagan, Joseph  
Introne, Robert  
Milz, David  
Packard, Sherman  
Priestley, Anne  
Schroader, Adam  
Tamburello, Daniel

Birdsell, Regina  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Nigrello, Robert  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Tucker, Pamela

### STRAFFORD

Bickford, David  
Mullen, John Jr

Gray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

### SULLIVAN

None

and the committee report was adopted and ordered to third reading.

**SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation. **OUGHT TO PASS.**

Rep. Steven J. Briden for Legislative Administration: This bill will help protect our priceless collection of historical flags that are on display in the State House. The current display cases are not climate controlled, and they do not protect the flags from the elements. Their condition is deteriorating, and without intervention, future visitors to the State House will be deprived of seeing a great piece of New Hampshire history, and a great piece of U.S. history. The joint legislative historical committee will conduct a study to determine the condition of the flags, decide the best course of action for preserving and protecting them, and recommend best practices for making sure they are presented in a way that will protect them for future generations. The committee believes it is important to preserve these historical artifacts, and there will be no financial impact due to the fact that there is a \$6,100.00 balance in a fund set up for the flags in 1992. Vote 12-0.

Rep. Gary Richardson offered floor amendment (1574h)

#### Floor Amendment (1574h)

Amend the title of the bill by replacing it with the following:

AN ACT directing the joint legislative historical committee to conduct a study of state house flag restoration and to acquire a portrait of suffragist Marilla Marks Ricker.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Portrait of Suffragist Marilla Marks Ricker. In recognition of Marilla Marks Ricker's accomplishments as an early suffragist and the first woman in New Hampshire history to file for

the office of governor, the joint legislative historical committee shall acquire a portrait of Marilla Marks Ricker. Within one year of the effective date of this section, the committee shall oversee the hanging of the portrait in a place of honor in the state house complex befitting a heroine of historical stature in this state.

### AMENDED ANALYSIS

This bill directs the joint legislative historical committee to conduct a study relative to the restoration and preservation of the flags displayed in the hall of flags of the state house. The bill also directs the committee to acquire and display a portrait of suffragist Marilla Marks Ricker. Rep. Gary Richardson spoke in favor and yielded to questions. On a division vote, 252 members having voted in the affirmative and 70 in the negative, floor amendment (1574h) was adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment. Rep. Baldasaro requested a roll call; sufficiently seconded.

### YEAS 284 NAYS 39

#### YEAS 284

##### BELKNAP

Burchell, Richard	Cormier, Jane	DiMartino, Lisa	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Gulick, Ruth
Holmes, Stephen	Huot, David	Raymond, Ian	Tilton, Franklin

##### CARROLL

Ahlgren, Christopher	Buco, Thomas	Chandler, Gene	Cordelli, Glenn
Lavender, Tom	McConkey, Mark	Morrow, Harry	Nelson, Bill
Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen	White, Syndi

##### CHESHIRE

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Hunt, John
Johnsen, Gladys	Johnson, Jane	Ley, Douglas	Mann, John
Parkhurst, Henry	Phillips, Larry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	Weed, Charles
Young, Harry			

##### COOS

Hatch, William	Moynihan, Wayne	Richardson, Herbert	Rideout, Leon
Theberge, Robert			

##### GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Gionet, Edmond
Harding, Laurie	Higgins, Patricia	Ladd, Rick Jr	Lauer, Linda
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

##### HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Belanger, James	Booras, Elstathia
Brown, Pamela	Byron, Frank	Campbell, David	Carroll, Douglas
Cebrowski, John	Chandley, Shannon	Coffey, James	Connor, Evelyn
Cote, David	Culbert, Patrick	Daniels, Gary	Danielson, David
DiSilvestro, Linda	Dobson, Jeremy	Eaton, Richard	Flanagan, Jack
Gage, Ruth	Gagne, Larry	Gale, Sylvia	Garcia, Michael
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Grady, Brenda
Graham, John	Hackel, Paul	Haefner, Robert	Hammond, Jill



Hansberry, Daniel  
 Jack, Martin  
 Knowles, Mary Ann  
 Levesque, Melanie  
 Marston, Dick  
 Nelson, Mary  
 O'Neil, William  
 Pellegrino, Tony  
 Renzullo, Andrew  
 Sanborn, Laurie  
 Soucy, Timothy  
 Sullivan, Daniel  
 Vail, Suzanne  
 Woodbury, David

Heden, Ruth  
 Jasper, Shawn  
 Lambert, George  
 Long, Patrick  
 McNamara, Richard  
 Notter, Jeanine  
 Ober, Lynne  
 Porter, Marjorie  
 Rhodes, Brian  
 Schmidt, Janice  
 Spratt, Stephen  
 Sullivan, Peter  
 Walsh, Robert Jr

Hinch, Richard  
 Judy, Jean  
 Leishman, Peter  
 MacKay, Mariellen  
 Meaney, Richard  
 O'Brien, Michael Sr  
 Ober, Russell III  
 Pratt, Calvin  
 Rokas, Ted  
 Shattuck, Gilman  
 Straight, Philip  
 Sweeney, Shawn  
 Williams, Kermit

Infantine, William  
 Katsiantonis, Thomas  
 LeVasseur, Richard  
 Manley, Jonathan Sr  
 Murotake, David  
 O'Brien, William  
 Parison, James  
 Ramsey, Peter  
 Rosenwald, Cindy  
 Shaw, Barbara  
 Stroud, Kathleen  
 Ulery, Jordan  
 Winters, Joel

### MERRIMACK

Alicea, Caroletta  
 Carey, Lorrie  
 Frazer, June  
 Hirsch, Geoffrey  
 Kotowski, Frank  
 McGuire, Dan  
 Ratzki, Mario  
 Schuett, Dianne  
 Wallner, Mary Jane

Bartlett, Christy  
 Carson, Clyde  
 French, Barbara  
 Hunt, Jane  
 Lockwood, Priscilla  
 Moffett, Howard  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walz, Mary Beth

Bouchard, Candace  
 Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 MacKay, James  
 Myler, Mel  
 Rogers, Katherine  
 Tilton, Joy  
 Webb, Leigh

Burns, Scott  
 Frambach, Mary  
 Hess, David  
 Kidder, David  
 McGuire, Carol  
 Patten, Dick  
 Schamberg, Thomas  
 Turcotte, Alan

### ROCKINGHAM

Abrami, Patrick  
 Birdsell, Regina  
 Cahill, Michael  
 Comerford, Timothy  
 Elliott, Robert  
 Gordon, Richard  
 Heffron, Frank  
 Introne, Robert  
 Mann, Maureen  
 O'Connor, John  
 Perkins, Amy  
 Sanders, Elisabeth  
 Sherman, Thomas  
 Till, Mary  
 Wazlaw, Brian

Allen, Mary  
 Borden, David  
 Cali-Pitts, Jacqueline  
 Copeland, Timothy  
 Emerson-Brown, Rebecca  
 Griffin, Mary  
 Helmstetter, Barbara  
 Itse, Daniel  
 Milz, David  
 Oligny, Jeffrey  
 Perkins, Lawrence  
 Sapareto, Frank  
 St.James, Kevin  
 Tucker, Pamela  
 Whittemore, Lisa

Belanger, Ronald  
 Briden, Steven  
 Charron, Gene  
 Cushing, Robert Jr  
 Flockhart, Eileen  
 Hagan, Joseph  
 Hodgdon, Bruce  
 Lovejoy, Patricia  
 Moody, Marcia  
 Packard, Sherman  
 Priestley, Anne  
 Scarlotto, Joe  
 Sweeney, Joe  
 Ward, Gerald

Bick, Patrick  
 Burtis, Elizabeth  
 Chirichiello, Brian  
 Danais, Romeo  
 Garcia, Marilinda  
 Harris, Jeffrey  
 Hoelzel, Kathleen  
 Major, Norman  
 Muns, Chris  
 Pantelakos, Laura  
 Rice, Frederick  
 Schroader, Adam  
 Sytek, John  
 Waterhouse, Kevin

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Jones, Laura  
 Perry, Robert  
 Smith, Marjorie  
 Wall, Janet

Bickford, David  
 Gardner, Janice  
 Hooper, Dorothea  
 Ketel, Stephen  
 Rogers, Rose Marie  
 Spainhower, Dale

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rollo, Deanna  
 Stevens, Audrey

Burdwood, Greg  
 Gray, James  
 Hubbard, Pamela  
 Miller, David  
 Schmidt, Peter  
 Verschueren, James

### SULLIVAN

Cloutier, John  
 Lefebvre, Benjamin  
 Smith, Steven

Gottling, Suzanne  
 O'Hearne, Andrew  
 Sweeney, Cynthia

Grenier, James  
 Rollins, Skip

Irwin, Virginia  
 Schmidt, Andrew

## NAYS 39 BELKNAP

Comtois, Guy

Sylvia, Michael

Vadney, Herbert

Worsman, Colette

## CARROLL

Wright, Donald

## CHESHIRE

None

## COOS

Rappaport, Laurence

## GRAFTON

Bradley, Lester

## HILLSBOROUGH

Barry, Richard

Boehm, Ralph

Burt, John

Hansen, Peter

Hikel, John

Hopper, Gary

Kurk, Neal

LeBrun, Donald

Palmer, Stephen

Peterson, Lenette

Rowe, Robert

Sandblade, Emily

Souza, Kathleen

Vaillancourt, Steve

Villeneuve, Moe

Warden, Mark

Willette, Robert

## MERRIMACK

Hoell, J.R.

## ROCKINGHAM

Baldasaro, Alfred

Emerick, J. Tracy

Friel, William

Garcia, Bianca

Grace, Curtis

Kappler, Lawrence

Khan, Aboul

Nigrello, Robert

Sedensky, John

Weyler, Kenneth

## STRAFFORD

Groen, Warren

Mullen, John Jr

Pitre, Joseph

## SULLIVAN

Gagnon, Raymond

and the committee report was adopted and referred to the Committee on Finance.

**SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags. **OUGHT TO PASS.**

Rep. Brad Bailey for Legislative Administration: This bill would allow for commemorative liquor bottles to be created and the revenue from special markups to be kept in an historical fund. This historical fund will be overseen by the joint legislative historical committee (RSA 17-1:1) with said funds to be used exclusively for the preservation of Civil War battle flags displayed in the state house. Bottles created in the past through the consent of the NH legislature have become collectables, and the state liquor commission believes there is a market for this product. Vote 12-0.

Rep. Notter spoke in favor.

Rep. Gary Richardson spoke in favor and yielded to questions.

On a division vote, 292 members having voted in the affirmative and 34 in the negative, the committee report was adopted and referred to the Committee on Ways and Means.

**SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts. **OUGHT TO PASS.**

Rep. Kris E. Roberts for Municipal and County Government: The General Court has recognized that that New Hampshire's water supply is a limited and precious public resource. To ensure that our water supplies are to be protected, conserved, and managed in the interest of present and future generations, the state has enabled municipalities to protect water supplies and provide sewer utility services in compliance with federal, state, and local requirements by entering into agreements that

provide for efficient means of collectively financing and operating such services. There are nearly a dozen different New Hampshire statutes that address mechanisms to expand water and sewer systems and service, assessing for those services, providing a clear and unified method of appealing those assessments, development of separate funds or combined utility funds that are non-lapsing or what type of governing body, to name a number of important issues. However, many of the existing statutes have their origins in the 1800's and have been amended to address the clean water act. As a result of federal budget deficits, federal funding has been greatly reduced for water and sewer projects but not the legal and public health and safety requirements. Municipalities such as Stratham need to make upgrades, others need to replace their water and sewer systems, some over a hundred years in age, with limited federal and state funding thus requiring them to fund the majority of the cost through local users. Tinkering with the patchwork of existing statutes (RSA 31:120, 35:7, 38, 38-C, 53, & 149-1) will only serve to frustrate the communities abilities to be proactive. SB 11 is enabling legislation allowing municipalities, particularly municipalities that have no legacy of providing these services, to choose a more concise and unified statutory framework that meets their need as a community rather than forcing towns and cities to adapt their needs to conform to an outdated statutory framework. SB 11 will enable municipalities to establish water and/or sewer utility districts to provide services at a more intensive level than is provided in the balance of the municipality. By doing so, it will provide funds for capital expenditures towards constructing, operating, and maintaining those utilities; and authorizes the establishment a system of fair charges to owners and users of property within such water and/or sewer utility districts. The bill also fosters regional approaches to providing these utility services in multiple municipalities should they mutually agree to do so by enabling municipalities to enter into inter-municipal agreements detailing the regional effort." Vote 18-0.

### **MOTION TO SPECIAL ORDER**

Rep. Porter moved that **SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts, be made a Special Order for the next Session in its Regular Calendar order.

Rep. Porter spoke in favor.

Motion adopted.

### **BILLS REMOVED FROM THE CONSENT CALENDAR (CONT'D)**

**SB 101**, relative to collocation and modification of personal wireless services facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacqueline A. Cali-Pitts for Science, Technology and Energy: This bill simplifies the collocation application process for modification of existing personal wireless service facilities (cell towers). It defines "substantial modifications" which would require review by municipal planning, and thereby excludes lesser modification from such review. The amendment limits the modification to a total of ten percent. Vote 17-0.

### **Amendment (1357h)**

Amend RSA 12-K:2, XXV as inserted by section 3 of the bill by replacing it with the following:

XXV. "Substantial modification" means the mounting of a proposed PWSF on a tower or mount which, as a result of a single collocation or modification application, or successive collocation or modification applications:

(a) Increases or results in the increase of the permitted vertical height of a tower, or the existing vertical height of a mount, by either more than 10 percent or the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; or

(b) Involves adding an appurtenance to the body of a tower or mount that protrudes horizontally from the edge of the tower or mount more than 20 feet, or more than the width of the tower or mount at the level of the appurtenance, whichever is greater, except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower or mount via cable; or

(c) Increases or results in the increase of the permitted square footage of the existing equipment compound by more than 2,500 square feet.

Amendment adopted.

Rep. Vadney offered floor amendment (1526h).

**Floor Amendment (1526h)**

Amend RSA 12-K:2, XVIII as inserted by section 3 of the bill by replacing it with the following:

XVIII. "Modification" means the replacement or alteration of an existing PWSF within a previously approved equipment compound or upon a previously approved mount. Routine maintenance of an approved PWSF shall not be considered a modification.

Amend RSA 12-K:2, XXV as inserted by section 3 of the bill by replacing it with the following:

XXV. "Substantial modification" means the mounting of a proposed PWSF on a tower or mount which, as a result of single or successive modification applications:

(a) Increases or results in the increase of the permitted vertical height of a tower, or the existing vertical height of a mount, by either more than 10 percent or the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; or

(b) Involves adding an appurtenance to the body of a tower or mount that protrudes horizontally from the edge of the tower or mount more than 20 feet, or more than the width of the tower or mount at the level of the appurtenance, whichever is greater, except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower or mount via cable; or

(c) Increases or results in the increase of the permitted square footage of the existing equipment compound by more than 2,500 square feet; or

(d) Adds to or modifies a camouflaged PWSF in a way that would defeat the effect of the camouflage.

Rep. Vadney spoke in favor and yielded to questions.

Rep. Borden spoke in favor.

On a division vote, 306 members having voted in the affirmative and 6 in the negative, floor amendment (1526h) was adopted.

Committee report adopted and ordered to third reading.

**SENATE MESSAGE****REQUESTS CONCURRENCE WITH AMENDMENT**

**HB 574**, increasing the state limitations for OHRVs operating on state-owned trails in Coos and Grafton counties. (Amendment printed SJ 4-18-13)

Rep. Chandley moved that the House concur and spoke in favor.

Adopted.

**REFERRAL DECLINED**

Rep. Marjorie Smith, Chairman of the Committee on Judiciary, under the provisions of House Rule 46 (f), declined the referral of **SB 166**, relative to critical incident stress management and crisis intervention services.

**HOUSE RESOLUTION NO. 9**

Honoring the victims and heroes of the Boston Marathon Tragedy

**WHEREAS**, the New Hampshire House of Representatives shares the sorrow of the tragedy at this year's Boston Marathon with its victims, their families and friends; and

**WHEREAS**, Jeff Bauman, who lost both his legs in the bombings, helped to identify the suspects, which led to their capture and prevented further acts of violence; and

**WHEREAS**, first responders and law enforcement personnel acted without regard for their own personal safety to care for and save as many victims as possible and ensured the safety of all by bringing the suspects to justice; and

**WHEREAS**, recent remarks have taken the focus away from honoring the victims and celebrating the heroes of this tragedy; now, therefore, be it

**RESOLVED**, by the New Hampshire House of Representatives, in Regular Session convened:

That the House does hereby disavow any unfounded speculation or accusation that dishonors those affected by the tragic events in Boston; and

That the New Hampshire House of Representatives does hereby commend Jeff Bauman as a hero for his actions and wishes him a quick recovery; and

That the New Hampshire House of Representatives does hereby honor all the victims and celebrate all the heroes of the senseless tragedy at this year's Boston Marathon.

Offered by: Representatives Gene Chandler, Stephen Shurtleff and Speaker Terie Norelli

Rep. Shurtleff moved Ought to Pass and requested a roll call; sufficiently seconded.

**YEAS 312 NAYS 0****YEAS 312****BELKNAP**

Burchell, Richard  
Fields, Dennis  
Gulick, Ruth  
Tilton, Franklin

Comtois, Guy  
Fink, Charles  
Holmes, Stephen  
Vadney, Herbert

Cormier, Jane  
Flanders, Donald  
Huot, David  
Worsman, Colette

DiMartino, Lisa  
Greemore, Robert Jr  
Raymond, Ian

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
Schmidt, Stephen

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Chandler, Gene  
Merrow, Harry  
Umberger, Karen

Cordelli, Glenn  
Nelson, Bill  
White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Berch, Paul  
Eaton, Daniel  
Johnson, Jane  
Phillips, Larry  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Hunt, John  
Mann, John  
Sad, Tara  
Weed, Charles

**COOS**

Hatch, William  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

Rappaport, Laurence

Richardson, Herbert

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Gionet, Edmond  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Byron, Frank  
Coffey, James  
Daniels, Gary  
Eaton, Richard  
Gale, Sylvia  
Gorman, Mary  
Haefner, Robert  
Heden, Ruth  
Jasper, Shawn  
Lambert, George  
Levesque, Melanie  
Marston, Dick  
Nelson, Mary  
O'Neil, William  
Parison, James  
Ramsey, Peter  
Rosenwald, Cindy  
Schmidt, Janice  
Souza, Kathleen  
Sullivan, Daniel

Barry, Richard  
Booras, Efsthathia  
Carroll, Douglas  
Connor, Evelyn  
Danielson, David  
Flanagan, Jack  
Garcia, Michael  
Grady, Brenda  
Hammond, Jill  
Hikel, John  
Judy, Jean  
LeBrun, Donald  
Long, Patrick  
McCloskey, David  
Notter, Jeanine  
Ober, Lynne  
Pellegrino, Tony  
Renzullo, Andrew  
Rowe, Robert  
Shattuck, Gilman  
Spratt, Stephen  
Sullivan, Peter

Beaulieu, Jane  
Brown, Pamela  
Cebrowski, John  
Cote, David  
DiSilvestro, Linda  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Hansberry, Daniel  
Hopper, Gary  
Knowles, Mary Ann  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Brien, Michael Sr  
Ober, Russell III  
Peterson, Lenette  
Rhodes, Brian  
Sanborn, Laurie  
Shaw, Barbara  
Straight, Philip  
Sweeney, Shawn

Belanger, James  
Burt, John  
Chandlely, Shannon  
Culbert, Patrick  
Dobson, Jeremy  
Gagne, Larry  
Goley, Jeffrey  
Haskell, Paul  
Hansen, Peter  
Jack, Martin  
Kurk, Neal  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Porter, Marjorie  
Rokas, Ted  
Sandblade, Emily  
Soucy, Timothy  
Stroud, Kathleen  
Ulery, Jordan

Vail, Suzanne  
Willette, Robert

Vaillancourt, Steve  
Williams, Kermit

Villeneuve, Moe  
Winters, Joel

Walsh, Robert Jr  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
French, Barbara  
Hunt, Jane  
MacKay, James  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
McGuire, Carol  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan

Burns, Scott  
Frambach, Mary  
Hess, David  
Kotowski, Frank  
McGuire, Dan  
Ratzki, Mario  
Schuett, Dianne  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Burtis, Elizabeth  
Copeland, Timothy  
Emerick, J. Tracy  
Garcia, Bianca  
Griffin, Mary  
Helmstetter, Barbara  
Itse, Daniel  
Lovejoy, Patricia  
Moody, Marcia  
Oigny, Jeffrey  
Perkins, Amy  
Sanders, Elisabeth  
Sherman, Thomas  
Till, Mary  
Wazlaw, Brian

Allen, Mary  
Birdsell, Regina  
Cahill, Michael  
Cushing, Robert Jr  
Emerson-Brown, Rebecca  
Garcia, Marilinda  
Hagan, Joseph  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Muns, Chris  
Packard, Sherman  
Perkins, Lawrence  
Sapareto, Frank  
St.James, Kevin  
Tucker, Pamela  
Weyler, Kenneth

Baldasaro, Alfred  
Borden, David  
Cali-Pitts, Jacqueline  
Danaïs, Romeo  
Flockhart, Eileen  
Gordon, Richard  
Harris, Jeffrey  
Hoelzel, Kathleen  
Khan, Aboul  
Mann, Maureen  
Nigrello, Robert  
Pantelakos, Laura  
Priestley, Anne  
Scarlottio, Joe  
Sweeney, Joe  
Ward, Gerald  
Whittemore, Lisa

Belanger, Ronald  
Briden, Steven  
Comerford, Timothy  
Elliott, Robert  
Friel, William  
Grace, Curtis  
Heffron, Frank  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
O'Connor, John  
Peckham, Michele  
Rice, Frederick  
Sedensky, John  
Sytek, John  
Waterhouse, Kevin

### STRAFFORD

Baber, William  
Gardner, Janice  
Grossman, Kenneth  
Jones, Laura  
Mullen, John Jr  
Rollo, Deanna  
Spang, Judith

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Schmidt, Peter  
Stevens, Audrey

Burdwood, Greg  
Gray, James  
Horrigan, Timothy  
Malloy, Dennis  
Pitre, Joseph  
Smith, Marjorie  
Verschueren, James

Burke, Rachel  
Groen, Warren  
Hubbard, Pamela  
Miller, David  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip

### NAYS 0 BELKNAP

None

### CARROLL

None

### CHESHIRE

None

**COOS**

None

**GRAFTON**

None

**HILLSBOROUGH**

None

**MERRIMACK**

None

**ROCKINGHAM**

None

**STRAFFORD**

None

**SULLIVAN**

None

and the motion was adopted and ordered to third reading.

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, May 22, 2013 at 10:00 a.m.  
Adopted.

**LATE SESSION****Third reading and final passage**

**SB 38**, relative to pharmacy rights during an audit.

**SB 51**, relative to the definition of "professional service."

**SB 94**, relative to portable electronics insurance.

**SB 117-FN**, establishing a commission to study the regulation of pharmacy benefits managers.

**SB 24**, relative to Medicaid rates.

**SB 171**, relative to the council for children and adolescents with chronic health conditions.

**SB 95**, relative to choice of pharmacy under workers' compensation.

**SB 147-FN**, relative to prescription drugs in workers' compensation cases.

**SB 49**, relative to appeals of planning board decisions.

**SB 50**, relative to expiration of variances and special exceptions.

**SB 58**, relative to the taxation of water works or flood control land held in another town or city.

**SB 111**, permitting municipalities to establish a capital reserve plan for expenditure of capital reserve funds and relative to electronic billing by municipal utilities.

**SB 172-FN-L**, relative to public funds.

**SB 197**, relative to the inclusion of a default budget in separate warrant articles submitted by sewer commissions.

**SB 84**, relative to road toll administration, relative to motor vehicles carrying property for hire, and relative to administration of the international registration plan.

**SB 188-FN**, relative to municipally-owned utilities.

**SB 131-FN-L**, relative to a permitting process for the removal of submerged logs from certain great ponds.

**SB 175**, relative to crossing public waters of the state for public utility purposes.

**SB 30**, making technical corrections to tax laws.

**SB 25**, relative to the treatment of medical support in child support cases.

**SB 104**, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire.

**SB 45**, relative to electronic prescriptions.

**SB 64**, relative to public informational meetings on dams.

**SB 163**, establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards.

**SB 164**, authorizing coastal management provisions in master plans.

**SB 128-FN-L**, relative to fees for vital records.

**SB 170**, relative to advance directives pertaining to life-sustaining treatment.

**SB 194-FN**, requiring the department of health and human services to implement the Medicaid family planning expansion

**SB 101**, relative to collocation and modification of personal wireless services facilities.

**SB 166**, relative to critical incident stress management and crisis intervention services.

**HR 9**, honoring the victims and heroes of the Boston Marathon Tragedy.

### UNANIMOUS CONSENT

Reps. Pamela Brown and Itse addressed the House.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference.

Adopted.

The House recessed at 3:00 p.m.

### RECESS

(Rep. Horrigan in the Chair)

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled Senate Bills numbered 93, 105 and 161.

Rep. Shurtleff, Sen. Prescott for the Committee

### RECESS

(Rep. Kaen in the Chair)

### ENROLLED BILL REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 574.

Rep. Shurtleff, Sen. Bradley for the Committee

### RECESS

(Rep. Shurtleff in the Chair)

### ENROLLED BILL AMENDMENTS

**SB 104**, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire. (Amendment printed SJ 5-23-13)  
Adopted.

**SB 111**, permitting municipalities to establish a capital reserve plan for expenditure of capital reserve funds and relative to electronic billing by municipal utilities. (Amendment printed SJ 5-23-13)  
Adopted.

### RECESS

(Rep. Kaen in the Chair)

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 178, 184, 211, 221, 328, 359, 374, 375, 393, 429, 432, 440, 488, 510, 535, 547, 558, 607, 648 and 652 and Senate Bills numbered 24, 25, 30, 45, 50, 58, 64, 84, 95, 131, 166, 172 and 194.

Rep. Shurtleff, Sen. Prescott for the Committee



**ENROLLED BILL AMENDMENTS**

***SB 38***, relative to pharmacy rights during an audit. (Amendment printed SJ 5-23-13)  
Adopted.

***SB 147-FN***, relative to prescription drugs in workers' compensation cases. (Amendment printed SJ 5-23-13)  
Adopted.

**RECESS**

**(Rep. Weber in the Chair)**

**ENROLLED BILL AMENDMENT**

***SB 171***, relative to the council for children and adolescents with chronic health conditions. (Amendment printed SJ 5-23-13)  
Adopted.

**RECESS**

**(Speaker Norelli in the Chair)**

Rep. Kaen moved that the House adjourn.  
Adopted.

## HOUSE JOURNAL No. 17

Wednesday, May 22, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Reverend Michael Leuchtenberger of the Universalist Unitarian Church of Concord.

Let us begin this morning with a moment of silence paying attention to the breath that sustains us. Spirit of life and love, which moves through us and throughout the world. May each breath we take remind us of our shared humanity, remind us to see and respect the human being next to us and across from us, remind us to listen as we hope others will listen to us. May each breath we take open us to compassion and fairness, open us to caring for all the people in New Hampshire regardless of their circumstances and especially if they are on the margins and in need of support. May each breath we take bring us strength and inspiration to lead with honesty, patience, integrity, and passion, bring us a sense of perspective of our own limitations and shortcomings, bring us forgiveness for ourselves and others if we fall short of our aspirations. May each breath we take leave us full of gratitude for the work we get to do in service to a wider vision of the world, a world made more fair, more just, more sustainable by the efforts here today and in the days to come. May it be so. Amen.

Representative Mary Allen, member from Newton, led the Pledge of Allegiance.

A Patriotic Medley was performed by The Average Joes, a Barbershop Quartet from New Hampshire.

### LEAVES OF ABSENCE

Reps. Bishop, Boisvert, Friel, McCarthy, McKinney, Miller, Parsons and Amy Perkins, the day, illness.

Reps. BurrIDGE, DanaIs, Daniel Eaton, Hagan, LerandEAU, Ley, Lundgren, McNamara, Phillips, Schroadter, Stroud, Peter Sullivan, Tasker and Weed, the day, important business.

Rep. Lawrence Perkins, the day, illness in the family.

### INTRODUCTION OF GUESTS

Ron Pingel, guest of Rep. Cebrowski. Kittie and John Wilson, guests of Rep. Ebel. Millie LeBaron and Christine Sweeney, grandmother and wife of Rep. Shawn Sweeney. Darlene Culbert, wife of Rep. Culbert. Jeannie Weller, Mary Jo Bristol, Barbara Warren and Kathie Beltz, guests of Rep. Chandley. Alexandra Coda, guest of Rep. Tom Walsh. Carlo Nittoli, spouse of Rep. Verschueren. James Annis, guest of Rep. Vail. Alta Hackel, guest of Rep. Hackel. Fourth graders of Florence Rideout Elementary School in Wilton, guests of Reps. Kermit Williams, Spratt and Gorman.

Alex Rose and Lexi Scribner of Exeter High School, Pages for the day.

### House Resolution #10

#### Honoring the 100<sup>th</sup> Anniversary of the NH Presidential Primary and the Honorable Stephen A. Bullock

**WHEREAS**, the First-in-the-Nation New Hampshire Presidential Primary plays a critical role in vetting and preparing candidates who seek our nation's highest office; and

**WHEREAS**, HB 430, an act to provide for the Election of Delegates to National Conventions by Direct Vote of the People, was enacted on May 21, 1913; and

**WHEREAS**, for 100 years, the citizens of New Hampshire have taken their responsibility to participate in the presidential selection process seriously and ensured the enduring vitality and relevance of the First-in-the-Nation Primary; and

**WHEREAS**, The Honorable Stephen A. Bullock, a State Representative from Richmond, sponsored the original legislation in order to allow New Hampshire citizens the opportunity to witness and participate in this highest of civic endeavors – the selection of our nation's President; and

**WHEREAS**, Stephen A. Bullock never sought attention for his vital role in the creation of the Presidential Primary and his contribution went unrecognized until 1999; now, therefore, be it

**RESOLVED**, by the New Hampshire House of Representatives in Regular Session convened that the New Hampshire House celebrates the 100<sup>th</sup> anniversary of the creation of the New Hampshire Presidential Primary; and be it further

**RESOLVED**, that the Honorable Stephen A. Bullock be granted the high praise, accolades and recognition as the father of the New Hampshire Presidential Primary; and be it further

**RESOLVED**, that expressions of thanks be extended to his family, and a suitable copy of this Resolution be prepared for presentation to them.

Offered by the House of Representatives

Adopted and ordered to third reading.

## SENATE MESSAGES

### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 327-FN**, relative to payment of attorney's fees for indigent parents in termination of parental rights cases. (Amendment printed SJ 5-2-13)

Rep. Walz moved that the House concur and spoke in favor.

Adopted.

**HB 551**, relative to the composition and duties of the task force on work and family. (Amendment printed SJ 5-2-13)

Rep. Walz moved that the House concur and spoke in favor.

Adopted.

**HB 505**, relative to the economic development advisory council. (Amendment printed SJ 5-2-13)

Rep. Butler moved that the House concur and spoke in favor.

Adopted.

**HB 450-FN**, relative to the annulment of criminal records. (Amendment printed SJ 5-2-13)

Rep. Pantelakos moved that the House concur and spoke in favor.

Adopted.

**HB 644-FN**, relative to parole procedures and relative to sanctions for violations of probation. (Amendment printed SJ 5-2-13)

Rep. Pantelakos moved that the House concur and spoke in favor.

Adopted.

**HB 160**, relative to a school districts transportation responsibility for pupils of divorced parents with joint decision making responsibility. (Amendment printed SJ 3-21-13)

Rep. Gile moved that the House concur and spoke in favor.

Adopted.

**HB 177**, relative to licensing requirements for homestead food. (Amendment printed SJ 4-18-13)

Rep. Sad moved that the House concur and spoke in favor.

Adopted.

**HB 313**, relative to the regulation of the compounding of drugs by pharmacists. (Amendment printed SJ 5-2-13)

Rep. James MacKay moved that the House concur and spoke in favor.

Adopted.

**HB 361**, relative to worksharing. (Amendment printed SJ 5-2-13)

Rep. Andrew White moved that the House concur and spoke in favor.

Adopted.

**HB 115**, relative to the procedure for filling a vacancy on a cooperative school district budget committee. (Amendment printed SJ 3-28-13)

Rep. Porter moved that the House concur and spoke in favor.

Adopted.

**HB 134**, relative to contingency funds in towns. (Amendment printed SJ 3-28-13)

Rep. Porter moved that the House concur and spoke in favor.

Adopted.

**HB 138**, permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot. (Amendment printed SJ 4-18-13)

Rep. Porter moved that the House concur and spoke in favor.

Adopted.

**HB 139**, relative to the time towns that have adopted official ballot voting have to approve bonding in solid waste management districts. (Amendment printed SJ 4-18-13)

Rep. Porter moved that the House concur and spoke in favor.

Adopted.

**HB 204-FN-L**, relative to the removal of social security and other numbers from registry of deeds documents available on the Internet. (Amendment printed SJ 5-2-13)

Rep. Porter moved that the House concur and spoke in favor.

Adopted.

**HB 235**, allowing counties to contract for professional real estate services for the sale or lease of county property. (Amendment printed SJ 3-21-13)

Rep. Porter moved that the House concur and spoke in favor.

Adopted.

**HB 305**, establishing a committee to study the apportionment formula for cooperative school districts for towns with electric generation facilities. (Amendment printed SJ 5-2-13)

Rep. Porter moved that the House concur and spoke in favor.

Adopted.

Rep. Moffett declared a conflict of interest and did not participate.

**HB 522**, relative to duties of town treasurers. (Amendment printed SJ 4-18-13)

Rep. Porter moved that the House concur and spoke in favor.

Adopted.

**HB 513**, relative to the shoreland protection act. (Amendments printed SJ 5-2-13)

Rep. Chandley moved that the House concur and spoke in favor.

Adopted.

**HB 174**, prohibiting the department of safety from providing motor vehicle records for the purpose of creating or enhancing a federal identification database. (Amendment printed SJ 4-18-13)

Rep. Bouchard moved that the House concur and spoke in favor.

Adopted.

**HB 193**, relative to registration of vehicles by residents without a permanent street address. (Amendment printed SJ 3-21-13)

Rep. Bouchard moved that the House concur and spoke in favor.

Adopted.

**HB 195**, relative to commercial driver learner permits. (Amendment printed SJ 3-21-12)

Rep. Bouchard moved that the House concur and spoke in favor.

Adopted.

**HB 196**, relative to weight of commercial vehicles with idle reduction devices. (Amendment printed SJ 3-21-13)

Rep. Bouchard moved that the House concur and spoke in favor.

Adopted.

**HB 383**, relative to operation of OHRVs on the traveled portion of public highways, where permitted. (Amendment printed SJ 3-28-13)

Rep. Bouchard moved that the House concur and spoke in favor.

Adopted.

**HB 391-FN**, establishing a committee to study options for mitigation of damages associated with highway noise. (Amendment printed SJ 4-18-13)

Rep. Bouchard moved that the House concur and spoke in favor.

Adopted.

**HB 161**, relative to school districts policies on health and sex education. (Amendment printed SJ 4-18-13)

Rep. Gile moved that the House nonconcur and spoke in favor.

On a division vote, 275 members having voted in the affirmative and 80 in the negative, the motion was adopted.

**HB 142**, relative to teacher evaluation systems. (Amendment printed SJ 5-2-13)

Rep. Gile moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Grassie, Myler, Gorman and Ladd.

**HB 242**, relative to child passenger restraint requirements. (Amendment printed SJ 4-18-13)

Rep. Bouchard moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Michael O'Brien, Rhodes, Burtis and Packard.

### CONSENT CALENDAR

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**SB 102**, relative to the selection of members of the conservation commission, removed by Rep. Hoell. Consent Calendar adopted.

**SB 114**, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas. **INEXPEDIENT TO LEGISLATE.**

Rep. Pamela Z. Tucker for Commerce and Consumer Affairs: This bill would regulate pre-paid contracts for home heating oil. The committee currently has a very similar bill retained and found this bill to be unnecessary as the retained bill will cover the same issues. Vote 16-2.

**SB 18**, conferring degree-granting authority to the American University of Madaba. **OUGHT TO PASS.**

Rep. Anne C. Grassie for Education: The American University of Madaba, in the country of Jordan exists through collaboration with the King of Jordan and the Vatican. In May of 2012, American University of Madaba received approval of the NH higher education commission to operate in New Hampshire and in its Madaba campus offering 18 degree programs. Conferring degree-granting authority is the next step and doing so will have no cost to New Hampshire taxpayers. This university is intended to serve as a landmark for Jordan that will contribute positively to the intellectual and professional human capital of Jordan and the region. Vote 19-0.

**SB 133-FN**, adopting the interstate wildlife violators compact. **OUGHT TO PASS.**

Rep. Joe Duarte for Fish and Game and Marine Resources: The interstate wildlife violator compact was enacted in 1989 in the western states of Colorado, Nevada & Oregon. Since then it has been adopted by 39 other states including our neighbors in Vermont and Maine. Joining the interstate wildlife violator compact is an agreement among states that recognize suspension of hunting, fishing and trapping licenses. This compact gives our conservation officers and license retailers the ability to not issue a license to someone whose privilege to hunt and fish has been suspended in another member state. It also allows our conservation officers to issue a ticket for a violation rather than arresting, booking and bonding. The fish and game department testified that there is alarming number of wildlife law violators whose licenses have been suspended in other states who come to New Hampshire to hunt and fish specifically because we are not a member of the compact. Without participation in this compact we extend an invitation to people who have demonstrated that they have no desire to follow the laws in their own state or in ours. Vote 14-0.

**SB 17**, establishing a commission to study palliative care and associated quality of life initiatives. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Stephen J. Schmidt for Health, Human Services and Elderly Affairs: Palliative medicine is the most recently recognized subspecialty of medicine focusing on quality of life in the setting of severe, advanced and terminal illness. The commission's duties shall include but not be limited to assessing the general knowledge of the citizens of New Hampshire regarding palliative care; evaluating the access, effectiveness, utilization and timeliness of palliative care, reviewing options for increasing the knowledge and use of advanced directives and consider requiring continuing education credits

for professional relicensing of health care providers. Palliative medicine recognizes that the best care is highly individualized to meet the specific needs of the person and to be consistent with their personal values, preferences and priorities. The amendment to this bill adds the commissioner of insurance to the commission. The amendment also clarifies and provides more specificity to the duties of the commission. Vote 15-0.

### **Amendment (1585h)**

Amend RSA 126-W:1 as inserted by section I of the bill by replacing it with the following:

126-W:1 Commission to Study Palliative Care and Associated Quality of Life Initiatives; Membership; Duties.

I. There is established a commission to study palliative care and associated quality of life initiatives. The members of the commission shall be appointed within 45 days of the effective date of this chapter and shall be as follows:

- (a) One member of the senate, appointed by the president of the senate.
- (b) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of health and human services, or designee.
- (d) The commissioner of the insurance department, or designee.
- (e) A licensed hospice and palliative care physician, appointed by the New Hampshire Medical Society.
- (f) A licensed hospice and palliative care nurse, appointed by the New Hampshire Nurses' Association.
- (g) A licensed social worker specializing in palliative care, appointed by the New Hampshire chapter of the National Association of Social Workers.
- (h) A representative of a hospital with a dedicated palliative care program, appointed by the New Hampshire Hospital Association.
- (i) A representative of a Medicare certified home health and hospice agency, appointed by the Home Care Association of New Hampshire.
- (j) A representative of the New Hampshire Hospice and Palliative Care Organization, appointed by the organization.
- (k) A representative of spiritual care professionals specializing in palliative care, appointed by the New Hampshire Council of Churches.
- (l) A representative of a nursing home facility, appointed by the New Hampshire Health Care Association.
- (m) Two public members, appointed by the governor.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The commission's duties shall include, but not be limited to:

- (a) Assessing the general knowledge of the citizens of New Hampshire regarding palliative care and hospice services.
- (b) Evaluating the access, effectiveness, utilization, and timeliness of palliative and hospice care.
- (c) Considering requiring continuing education credits for professional relicensure of health care providers involved with palliative, hospice, and pain management services.
- (d) Reviewing options for increasing the knowledge and use by the public of advanced directives, including directions to the providers regarding life sustaining treatment.
- (e) Discussing potential deficits in third party payments for hospice or palliative care services as a barrier for use of palliative and hospice care.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 60 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library in the form of an interim report on or before November 1, 2013 and a final report on or before June 1, 2014.

Amend paragraph I of section 3 of the bill by replacing it with the following:

- I. Section 2 of this act shall take effect June 1, 2014.

**SB 87**, relative to the patients' bill of rights. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Susan J. Ticehurst for Health, Human Services and Elderly Affairs: People who need home health care services and the workers who provide that care are both protected when conditions for discharge are clearly defined. This bill assures that clients will receive fourteen days notice, unless there is no longer a need for therapeutic services, the provider is unable to meet the clients' changing needs, or conditions are unsafe. Under certain circumstances, immediate discharge is allowed to protect the health care of workers' health and safety. Continuing care for the client is assured by setting a plan for removing the threat, obtaining emergency protection if needed, providing alternative care, and notifying the client's support system. Referral to the regulatory agency and information on the appeal process are provided. The amendment to this bill emphasizes safety for home health care providers so that the home is free from sexual or other forms of harassment by the client or others in the home. Thus, both the client who needs home health services and home health care case providers are both protected. Vote 14-0.

**Amendment (1701h)**

Amend RSA 151:21-b, III(b) as inserted by section 6 of the bill by replacing it with the following:

(b) ~~[Assist in creating and maintaining a safe home environment in which care will be delivered.]~~ ***Create and maintain an environment that is safe and free from sexual or other forms of harassment by the client or others in the home. For the purposes of this subparagraph, an environment is unsafe if conditions in and around the home imminently threaten the safety of the home health care provider personnel or jeopardize the home health care provider's ability to provide care.***

Amend the bill by replacing all after section 9 with the following:

10 New Section; Discharge of Home Health Care Clients. Amend RSA 151 by inserting after section 26 the following new section:

151:26-a Discharge of Home Health Care Clients.

I. Except as provided in paragraph IV, a home health care provider shall provide a minimum of 14 days notice of the intent to discharge a client.

II. Written notice of discharge shall be provided to the client or the client's legal representative and included in the client's clinical record. A copy of the notice of discharge shall be provided to the ordering physician or authorizing health care provider, if any, and the case manager, if any. At a minimum, the notice shall include the following:

- (a) The reason for the discharge.
- (b) The effective date of the discharge.
- (c) The identity of and contact information for the service provider, if any, who is or will be taking on the care of the client.
- (d) The steps the client should take to reinstate services, if any.
- (e) The telephone number and contact information for the state and federal home health care regulatory agency.

(f) The following statement in bold type: "You have a right to appeal the decision to discharge you from home health care services. If you think you should not be discharged, you or your legal representative may request an expedited administrative hearing from the New Hampshire Department of Health and Human Services or you may file an appeal in superior or probate court. You also may register a complaint with the state and federal home health care regulatory agencies. If you have a legal representative that person may act on your behalf."

III. (a) A home health care provider may discharge a client if the client's needs can no longer be met by the home health care provider, if one or more of the following applies:

(1)(A) The client or the client's legal representative, the client's family, persons residing with the client, or the client's informal supports are non-compliant with or interfere with implementation of the plan of care and the scope and effect of the non-compliance or interference:

(i) Has led to or will lead to an immediate deterioration in the client's condition, such that home health care will no longer be safe or appropriate; or

(ii) Has made attainment of reasonable therapeutic goals at home impossible.

(B) In addition, the likely outcome of the non-compliance or interference has been explained to the client or the client's legal representative, to the client's informal supports, and to the case manager, if applicable, and the client continues to refuse to comply with, or others continue to interfere with, the implementation of the plan of care.

(2) The availability of home health care or community support services is no longer sufficient to meet the client's changing care needs.

(3) The home health care provider personnel with the required qualifications who were providing the client's care are no longer employed by the home health care provider and no other qualified personnel is or is expected to be available.

(b) The home health care provider shall make reasonable attempts, prior to discharge, to resolve the circumstances that may lead to a discharge under this paragraph. When a home health care provider determines that a client will require continuing care after services are discontinued pursuant to this paragraph, the home health care provider shall arrange for or assist the client to arrange for such services, to the extent practicable, and shall provide sufficient clinical information to the receiving entity to assure continuity of care and services. The home health care provider shall educate the patient on how to obtain further care, treatment, and services to meet his or her identified needs, as necessary.

IV.(a) A home health care provider may provide notice of discharge to a client in less than 14 days if:

(1) The client requests services be discontinued or the client moves out of the service area.

(2) An emergency discharge is mandated by the client's health care needs and is in accordance with written orders of the client's ordering physician or authorizing health care provider, if any.

(3) The client no longer needs the services provided by the home health care provider, as confirmed by the client's ordering physician, authorizing health care provider, or case manager, as appropriate.

(4) Conditions in or around the home imminently threaten the safety of the home health care provider personnel or jeopardize the home health care provider's ability to provide care, in accordance with paragraph V.

(5) The client, the client's government payor, or the client's third-party payor ceases payment or denies authorization for further care and the client is unable or unwilling to pay for continued services or unwilling to apply for other available resources.

(b) No discharge shall be permitted if it is contrary to RSA 151:21-b or to the requirements of Titles XVIII or XIX of the Social Security Act, as applicable. The provider shall give notice of the discharge allowed under this paragraph, as soon as practicable.

V. Conditions in or around the home imminently threaten the safety of the home health care provider personnel or jeopardize the home health care provider's ability to provide care in the following situations:

(a) Conditions are known to exist in or around the home that would imminently threaten the safety of personnel, including but not limited to:

(1) Actual or probable physical assault.

(2) Continuing severe verbal threats which the individual making the threats has the ability to carry out and which create a reasonable concern for personal safety.

(3) Other circumstances that are likely to cause serious injury.

(b) The home health care provider has valid reason to believe that its personnel will be subjected to continuing and severe verbal abuse or sexual harassment, as defined in RSA 354-A:7, V, which will jeopardize the home health care provider's ability to secure sufficient personnel resources or to provide care that meets the needs of the client.

VI. A home health care provider that intends to discharge a client shall:

(a) Prepare a discharge plan designed to ensure a timely and safe discharge in consultation with the client or the client's legal representative, the client's ordering physician or other authorizing health care provider, if any, and any other professional involved in the plan of care, such as a case manager.

(b) In the event of an immediate discharge:

(1) Take appropriate measures to ensure client safety, including immediate notification of the client or the client's legal representative, the client's physician or other authorizing health care provider, if any, and other agencies known by the home health care provider to be involved in the provision of home health care services, including a case manager.

(2) If appropriate, make a report to adult protective services, in accordance with RSA 161-F, or to child protective services, in accordance with RSA 169-C, or to law enforcement authorities indicating the client's ongoing care needs and the reason for discharge.



(3) Provide written notification in accordance with paragraph II within 5 calendar days of the discharge.

VII.(a) A client of a home health care provider subject to discharge under this section may appeal to the department of health and human services or to the superior or probate court.

(b) The commissioner of the department of health and human services shall adopt rules, pursuant to RSA 541-A, relative to the proper conduct of administrative appeals under this paragraph.

11 Applicability.

I. The commissioner of the department of health and human services shall initiate the rulemaking required under RSA 151:26-a, VII(b) as inserted by section 10 of this act no later than 60 days after passage of this act.

II. Pending the adoption of the rules required by RSA 151:26-a, VII(b) as inserted by section 10 of this act, administrative appeals authorized pursuant to RSA 151:26-a, VII(a) shall be conducted in accordance with He-C 200.

12 Effective Date. This act shall take effect January 1, 2014.

**SB 138-FN**, relative to support for certain residents of nursing and assisted living facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charles E. McMahon for Health, Human Services and Elderly Affairs: This bill came as a result of the recommendations of Chapter 20:1, Laws of 2012 study committee that addressed the continuation of payments to long term care facilities. It provides for a nursing home facility or assisted living facility to pursue recovery of costs for care provided to a resident from entities or persons when a Medicaid application is not timely, or when an asset transfer is made within the five year look back period thereby causing the application to be disqualified. Further, the bill provides for due process protection for fiduciaries, guardians, trustees and, unless otherwise designated, persons who are entrusted with managing the assets of a resident. This means that upon a dispute of the department of health and human services determination that a disqualifying transfer of funds or assets took place, an affirmative defense to prove the transfer was not a disqualifying action shall be available to those entities having financial responsibility of a residents funds and assets as detailed herein. The amendment to this bill is the result of extensive work by a subcommittee. It expands definition of terms used in this bill. It clarifies the role of persons with a fiduciary relationship, asset transfers, Medicaid applications, probate court and other administrative procedures. Vote 15-0.

**Amendment (1610h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Liability for Costs of Care. Amend RSA 151-E by inserting after section 18 the following new section:

151-E:19 Support for Certain Residents of Nursing Homes and Assisted Living Facilities.

I. In this section:

(a) "Costs of care" means all costs of health care and lodging and all related costs, including transportation, medical, and personal care and any other costs, charges, and expenses incurred by the facility in rendering care to the resident.

(b) "Department" means the department of health and human services.

(c) "Fiduciary" means a person to whom power or property has been formally entrusted for the benefit of another such as an attorney-in-fact, legal guardian, trustee, or representative payee.

(d) "Long-term care facility" means a facility licensed by the department pursuant to He-P 803, 804, or 805.

(e) "Patient liability amount" means the amount of income that a resident is liable to contribute toward the cost of his or her nursing facility care.

(f) "Person" includes persons both natural and otherwise, including, without limitation, any corporation, partnership, limited liability company, trust or other entity.

(g) "Resident" refers to any person who inhabits or inhabited a long-term care facility for any period of time.

II.(a) Except as provided in subparagraph (b), when an asset transfer made on or after the effective date of this section results in a final determination of a Medicaid asset transfer disqualification, the person who received the assets from a resident which resulted in the Medicaid asset transfer disqualification shall be liable under this section to the long-term care facility for all costs of care up to the amount transferred to the person. The person shall be liable at the facility's Medicaid rate for services for the period of asset transfer disqualification.

(b) It shall be an affirmative defense in any action instituted under subparagraph (a), that the transfer of the asset which resulted in a final determination of a Medicaid asset transfer disqualification was not a disqualifying transfer under 42 U.S.C. 1396p. The court's decision regarding such affirmative defense shall be made independently of the determination made by the department. If that affirmative defense is proven, the person shall not be liable under subparagraph (a).

III. A fiduciary who possesses or controls the income or assets of a resident of a long-term care facility and has the authority and duty to file an application for Medicaid on behalf of a resident shall be liable under this section to the long-term care facility for all costs of care which are not covered by Medicaid due to the fiduciary's negligence in failing to promptly and fully complete and pursue an application for Medicaid benefits for the resident. Upon a finding of negligence, the fiduciary shall be liable to the facility for the costs of care at the facility's Medicaid rate for services for the period of resulting noncoverage. At least 30 days before filing an action pursuant to this paragraph, the facility shall send a written notice of its intent to file the action to any person whom it intends to name as a defendant in the action. In any claim of negligence against a legal guardian, notice of intent to file the action shall simultaneously be provided to the probate court having jurisdiction over the guardianship. The probate court shall have jurisdiction over any action alleging negligence of a legal guardian, and shall, in any such action, consider whether removal of the guardian is in the ward's best interests in accordance with RSA 464-A:39, I(c) and shall have the authority to assess liability and award damages under this section.

IV. Any fiduciary or person who has received authority over the income of a resident such as a person who has been given or otherwise obtained authority over a resident's bank account, has been named as or has rights as a joint account holder, or otherwise has obtained or received any control over a resident's bank account or any other income of a resident, shall be liable under this section to the long-term care facility to the extent that any such person or fiduciary refuses to pay the patient liability amount due under Medicaid, provided that the person or fiduciary is in receipt of written notice from the department of the patient liability amount at the time such income is received by the fiduciary or person, and provided further that the liability of the person or fiduciary shall be for amounts going forward from the receipt of the notice. At least 30 days before filing an action pursuant to this paragraph, the facility shall send a written notice of its intent to file the action to any person or fiduciary whom it intends to name as a defendant in the action.

V. No judgment obtained in any proceeding under this chapter shall be acted upon through execution, levy, or otherwise during the pendency of any actually completed and filed application for Medicaid. Attachments and trustee process to secure any judgment or potential judgment shall be permitted subject to the discretion of the court to protect facilities from non-payment or from the failure of the resident, or that resident's fiduciary, to cooperate in obtaining Medicaid.

VI. Nothing contained in this section shall prohibit or otherwise diminish any other causes of action possessed by any such long-term care facility. The death of the resident shall not nullify or otherwise affect the liability of the person or persons charged with the cost of care rendered or the patient liability amount as referenced in this section.

VII. A fiduciary under this section shall not be personally liable for the acts or omissions of the fiduciary's predecessor, if any, solely by reason of his or her role as successor fiduciary.

2 New Section; Liability for Care. Amend RSA 507 by inserting after section 8-h the following new section:

507:8-i Actions Under RSA 151-E:19. The defendant in any action brought under RSA 151-E:19 shall be liable to the long-term care facility as provided in RSA 151-E:19. An action under RSA 151-E:19 shall be tried by bench trial. Nothing contained in RSA 151-E or this section shall prohibit or otherwise diminish any other causes of action possessed by any such long-term care facility.

3 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill allows an assisted living facility or nursing home facility in certain circumstances to pursue recovery of costs of care rendered to a client from entities or certain other persons when an application for Medicaid is not timely made or when the client is not able to receive Medicaid assistance due to the transfer of the client's assets within the 5-year Medicaid look-back period.

**SB 185**, establishing a commission on housing policy and regulation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Marjorie A. Porter for Municipal and County Government: This bill establishes a commission on housing policy and regulation with a goal of identifying and reducing regulatory impediments to the creation of affordable housing in NH. The commission will be looking at state level, not local, regulations which affect housing. The last study of NH housing was done more than 10 years ago; this bill will allow stakeholders to examine problems which may exist today, and to recommend solutions. The amendment allows for representatives from the New Hampshire community action association and DRED to be part of the commission. Vote 16-0.

#### **Amendment (1476h)**

Amend RSA 19-M:1, I as inserted by section 2 of the bill by inserting after subparagraph (w) the following new subparagraphs:

- (x) The president of the New Hampshire Community Action Association, or designee.
- (y) The commissioner of resources and economic development, or designee.

#### **SB 160-FN-A, relative to turnpikes and electronic toll collection. OUGHT TO PASS WITH AMENDMENT.**

Rep. David B. Campbell for Public Works and Highways: This bill makes several changes to the toll evasion statute and was requested by the department of transportation. Currently, unpaid transactions in the cash lanes are not subject to the same consequences as unpaid transactions in the EZPass lanes at the toll plazas on the NH turnpike system. Violators are increasingly taking advantage of this loophole. SB 160, as amended, allows the department of turnpikes to photograph the license plates of a vehicle in the cash lane when the transaction is unpaid, for enforcement purposes. It further allows all unpaid transactions, cash or electronic, to be collected via the same enforcement system. The amendment further clarifies that no license plates will be photographed for any paid transaction in the cash lanes. It also addresses all electronic tolling (AET). AET is a newer technology that has no cash lanes and collects tolls from non-EZPass automobiles by taking photographs of their licenses and billing them through their registrations by mail. Current law does not preclude AET. The committee had several concerns about AET, regarding privacy issues, fairness to cash users and the impact on NH as a "tourist friendly" state. The effect of the amendment prohibits any AET pilot programs and requires that any AET tolling must have prior legislative approval. Vote 18-0.

#### **Amendment (1586h)**

Amend RSA 236:31-b as inserted by section 9 of the bill by replacing it with the following:

236:31-b Failure to Pay a Highway Toll. ~~[Notwithstanding the provisions of RSA 236:31,] Any person who fails, neglects, or refuses to pay the toll or charge for the use of any bridge, highway, or part thereof [shall be guilty of a violation. This section shall not apply to any person driving a vehicle equipped with a transponder using a lane equipped with an electronic toll collection monitoring system; such person and vehicle shall be], or utilizes a toll facility that is equipped with a toll collection monitoring system without having an E-Z Pass transponder mounted on the vehicle, shall have an image taken of the vehicle registration plate and be subject to the provisions of RSA 236:31. When a cash payment is made, no such image shall be taken.~~

Amend the bill by replacing all after section 14 with the following:

15 New Paragraph; Turnpike System; Authority Granted; Legislative Approval Required. Amend RSA 237:7 by inserting after paragraph I the following new paragraph:

I-a. The department shall not proceed with the installation of all electronic tolling without prior legislative approval.

16 Effective Date. This act shall take effect 60 days after its passage.

#### **AMENDED ANALYSIS**

This bill:

- I. Changes certain terminology for the toll collection system.
- II. Changes certain penalties for failure to pay a highway toll.
- III. Modifies the sums appropriated for carrying out certain highway projects.
- IV. Requires legislative approval for the installation of all electronic tolling.

This bill is a request of the department of transportation.

#### **SB 13, relative to hearings in the department of safety. OUGHT TO PASS.**

Rep. Michael B. O'Brien for Transportation: This bill amends the enabling statute of the department of safety bureau of hearings to clarify the legal authority of the bureau to include conducting hearings

for the entire department. Since due process requires agencies that conduct adjudicative hearings to provide a right of appeal, this bill clarifies the appeal process. This bill will enhance the efficiency of the department of motor vehicles in the hearing and appellate process. Vote 16-1.

**SB 21**, making technical corrections to the International Registration Plan. **OUGHT TO PASS.**

Rep. Brian K. Chirichiello for Transportation: This bill is simply making corrections to the definitions of two terms in the International Registration Plan. The two words changed were "Repository" to the words "Reciprocity." The committee is unanimous in favor of this change. Vote 16-0.

**SB 22**, exempting small trailers from inspection requirements; allowing qualified dealers to inspect trailers; and deleting a reference to highway enforcement officers. **OUGHT TO PASS.**

Rep. Elizabeth B. Burtis for Transportation: This bill eases regulations on vehicle trailer inspection. It eliminates the requirement for small trailers (10,000 lbs gross vehicle weight rating) to be inspected, and also allows qualified dealers to conduct inspections for larger trailers (more than 10,000 lbs gross vehicle weight rating). This bill was requested by the department of safety. It helps the department streamline processes and also reduces regulations and costs to individual small trailer owners. Vote 16-0.

**SB 85**, relative to commercial motor vehicle operation. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael B. O'Brien for Transportation: This bill, as amended, aligns terminology with an annual audit of the motor carrier safety assistance program (MCSAP) by the federal motor carrier safety administration. Some of our commercial vehicle laws differ from federal terminology and this bill brings our laws in uniformity with current federal regulations. The amendment clarifies that state or any political subdivision of the state is exempt. However public employers are not prevented from establishing internal policies making motor carrier safety rules applicable to its vehicles and drivers. The bill and the amendment was a request by the department of safety. Vote 15-1.

#### Amendment (1691h)

Amend the bill by inserting after section 8 the following and renumbering the original section 9 to read as 10:

9 New Paragraph; Motor Carriers; Equipment; Exemptions. Amend RSA 266:72-a by inserting after paragraph III the following new paragraph:

III-a. Paragraph III shall not apply to intrastate transportation performed by the state, or any political subdivision of the state. However, nothing in this section shall prevent or inhibit any public employer from establishing internal policies making the motor carrier safety rules applicable to its vehicles and drivers.

**SB 159**, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael B. O'Brien for Transportation: The main bill would exempt agricultural and farm vehicles operating intrastate and registered in New Hampshire from federal regulations. A public hearing was held on the non-germane amendment. The amendment will allow military personal and dependents who are deployed outside of New Hampshire or overseas as well as government employees who are deployed overseas to renew their driver licenses by mail. This amendment will help our military families as well as overseas government employees maintain their motor vehicle connection to New Hampshire during deployment. Vote 16-0.

#### Amendment (1531h)

Amend the title of the bill by replacing it with the following:

AN ACT exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations and relative to drivers' license renewals of members of the armed forces and federal employees and their spouses.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 4:

2 Members of Armed Services; Federal Employees; Spouses Residency. Amend RSA 263:5-b to read as follows:

263:5-b Members of Armed Services; **Federal Employees; Spouses**; Residency. [~~Notwithstanding any provision of law to the contrary:~~]

I. Any resident of this state who is on active duty [to] in the armed forces of the United States, or who is employed by the State Department or other agency of the United States government shall not

be considered as having lost residence when the sole reason for the person's absence is compliance with military or naval orders *that require deployment outside the state of New Hampshire* or federal agency or state department orders that require ~~[deployment]~~ *assignment* outside of the United States.

II. A resident of this state~~[-who has previously established residency in New Hampshire, on active duty in the armed forces of the United States or employed by the State Department or other agency of the United States government or the spouse or domestic partner of such person]~~ *shall not be considered as having lost residence when the sole reason for the person's absence is that he or she is accompanying [their] his or her spouse [or domestic partner on an] on a United States armed forces deployment outside the state of New Hampshire or state department or other federal agency assignment abroad*~~[-who has previously established residency in New Hampshire, may elect to obtain a New Hampshire driver's license by applying in person to the department and may renew such license one time by mail, provided a photo identification is on file with the department, after which the second renewal shall be made in person].~~

~~[HH: Any person obtaining a license under the provisions of this section shall obtain a photo identification within 30 days of returning to this state.]~~

3 License Expiration; Armed Forces; Federal Employees; Spouses. Amend RSA 263:11 to read as follows:

263:11 License Expiration; Members of the Armed Forces; *Federal Employees*; Spouses.

I. Any person who is a member of the armed forces of the United States and who, at the time of induction, call to active duty, or enlistment ~~[into]~~ *in* the armed forces for 2 or more years, was a resident of this state and was a holder of a valid New Hampshire license to drive motor vehicles in this state, is entitled to renewal of such license without cost by application to the division. Said application must be accompanied by a letter giving date of expiration of active duty, signed by a commissioned officer. Such a person while driving a motor vehicle shall carry upon his or her person the license issued. The privilege of this section remains in effect for 90 days after the discharge or release of such a person from active duty. Nothing in this section permits a person against whom a revocation or suspension of license is in force, or a person who has been refused a license by the director, to drive a motor vehicle.

II. ~~[The spouse of any resident of this state on active duty in the armed forces of the United States who is a holder of a valid New Hampshire license, is entitled to renewal of such license upon payment of the prescribed fees, by application to the division. The application must be accompanied by a letter giving date of expiration of active duty, and be signed by a commissioned officer.~~

HH:] Any member of the national guard who is called to military service or mobilized for a period of 60 days or more, and who was a resident of this state and was a holder of a valid New Hampshire license to drive motor vehicles in this state, is entitled to renewal of such license without cost or penalty by application to the division. Said application must be accompanied by a letter giving a projected date of expiration of said service, signed by a commissioned officer. Such a person while driving a motor vehicle shall carry upon his or her person the license issued.

III. (a) *A person who, at the time of license expiration, is deployed on active duty in the armed forces of the United States or serving in the national guard outside the state of New Hampshire, is a federal employee assigned to a location outside the United States, or is the spouse of any such person accompanying his or her spouse during the deployment, service, or assignment, may renew his or her license by mail, provided the person has a computerized image on file with the division.*

(b) *If such person does not have an image on file with the division, he or she may request that a license be issued without a picture. This non-photo license shall only be valid when accompanied by a military or United States government employee or dependent photo identification. The person shall obtain a photo identification within 30 days of returning to this state.*

IV. *If a person renews his or her license by mail pursuant to paragraph III, the subsequent license renewal shall require an appearance in person at the licensing facility, except that if the person is on active duty outside of the state of New Hampshire in the armed forces of the United States for a period covering more than one license expiration, the person may renew his or license by mail as many times as is necessary during the period of active duty.*

#### AMENDED ANALYSIS

This bill exempts drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations adopted as rules by the commissioner of the department of safety. This bill also

clarifies the procedure driver's license renewal for certain members of the armed forces and federal employees and their spouses, and authorizes multiple renewals by mail for persons on active duty for a period covering more than one license expiration.

### REGULAR CALENDAR

**SB 126-FN**, relative to business practices between motor vehicle manufacturers, distributors, and dealers. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Edward A. Butler for the Majority of Commerce and Consumer Affairs: This bill modifies RSA 357-C the "Dealer Bill of Rights" ("DBR") which has been on the books for 40 years. The DBR already covers off-highway recreational vehicles, snowmobiles, cars, trucks, motorcycles, and RV's. The DBR governs the relationship and business practices between manufacturers and NH dealers. This law was originally passed out of recognition that the manufacturers were abusing their power in the relationship and that NH businesses and consumers were being harmed as a result. Dealers cannot, of course, simply drop one franchise and add another. This is not a free market that dealer-owners operate in. All 50 states have nearly identical laws and all but one provision (dealer files) in SB 126 are based on those laws. The current law and SB 126, seeks to continue to level the playing field for NH businesses and ensure consumers interests are safeguarded as well. The committee heard extensive testimony showing the dealer-manufacturer relationship is broken: contracts and terms are non-negotiable, programs are dictated, and costs are shifted onto dealers and ultimately consumers. The committee encouraged the two parties to work to compromise on several issues. Some compromise was reached before subcommittees met and more was achieved during extensive subcommittee work. First was moving tractor & equipment dealers from their current RSA 347-A into RSA 357-C. 347-A has been on the books for 18 years and when passed did not result in major changes to business as usual in the state or their contracts. The relationship between equipment dealers and manufacturers is identical to that of car/truck dealers: nearly duplicate one-sided, non-negotiable contracts and an autocratic relationship. Equipment dealers also have business operations that are nearly identical in all respects to car/truck/motorcycle etc. dealers. Three times the committee or subcommittee rejected by large margins amendments to strip out equipment dealers. The last vote was 14-3. The committee was reminded during deliberations that snowmobile and off-road RV dealers were added to RSA 357-C in 2002 without ensuing problems. Second, access to dealer files was heavily scrutinized and amended. It now only allows annual access to routine business reports upon written request. If a dealer is failing it only makes sense that they receive notification, and a chance to improve performance or challenge findings, before significant problems develop or a termination notice arrives in the mail. Third, limiting mandatory facility upgrades to every 15 years was much discussed. The committee kept the 15 year limit, as approved by the Senate, as there was no proof of return on investment for 5 or 10 year upgrades. Average upgrade costs are \$3.6 million; the average loan is 20 years; and depreciation write-off is as much as 39 years. The committee was concerned that consumers would pay more for cars if manufacturers continued to demand short turnaround renovations from some of their dealers. The 15 year limit will be waived if the manufacturer agrees to pay for 65% of the cost. The "buy local" sourcing of goods and services was modified to ensure that manufacturers give final approval of vendors, protect their intellectual property and are able to maintain the same overall design. Measuring the dealer in their performance is made more transparent through the bill. The bill also reaches a solution to eliminate a dealer from being penalized when a vehicle is illegally exported, which we heard from State Police is a serious problem in NH. The amendment requires both parties to work to identify exports happening in a dealer's marketing region. The committee also heard that some, but not all, manufacturers are following the current UCC which requires manufacturers to appropriately pay for warranty parts. To ensure the current law is followed, the bill adopts a formula used in at least 15 other states. Safeguards were put in place to allow the manufacturer to ensure the right amount is paid. Finally, the committee adopted similar language to the Maine law regarding the surcharge prohibition which was held constitutional in 2004. Vote 15-2.

Rep. Catherine Mulholland for the Minority of Commerce and Consumer Affairs: By rolling the equipment dealers into the same chapter, 357-C, as the automobile dealers and repealing chapter 347-C which has hitherto governed the contractual relationships between equipment dealers and their manufacturers, this legislation runs the risk of nullifying those contracts and being open to constitutional challenge. The purpose of this amendment is to defer legislation governing equipment

dealers by removing them from SB 126 as it stands, with the intention of bringing back a bill in 2014 adapted specifically to those elements of 347-C which equipment dealers feel they need to “level the playing field”. The contention that automobiles and agricultural and construction equipment all belong collectively together because they fall under the same distribution network ignores the fact that automobiles are primarily directed toward the consumer, whereas farm and construction equipment are business investments. The markets are dissimilar although the marketing model may serve both. The economic cycles do not coincide and the economic collapse and consequent bankruptcies of GM and Chrysler in 2009 have put very different pressures on those manufacturers to succeed. New Hampshire wants to be business friendly, but not so protectionist as to kill the goose that lays the golden egg. Ultimately the dealer has a contractual agreement which guarantees an inventory for sale. If he does not like the terms, he had better quit.

### Majority Amendment (1699h)

Amend the bill by replacing sections 1 and 2 with the following:

1 Section Heading and Definition of Motor Vehicle. Amend the section heading and RSA 357-C:1, I to read as follows:

357-C:1 Definitions. ~~[As used in this chapter]~~ *For the purpose of this chapter only:*

I. “Motor vehicle” means every self-propelled vehicle manufactured and designed primarily for use and operation on the public highways and required to be registered and titled under the laws of New Hampshire, ~~[not including farm tractors and other machines and tools used in the production, harvesting, and care of farm products]~~. *Motor vehicle shall include equipment if sold by a motor vehicle dealer primarily engaged in the business of retail sales of equipment.* Except for RSA 357-C:3, I-b, and where otherwise specifically exempted from the provisions of this chapter, “motor vehicle” shall include off highway recreational vehicles and snowmobiles. *Equipment means farm and utility tractors, forestry equipment, industrial equipment, construction equipment, farm implements, farm machinery, yard and garden equipment, attachments, accessories, and repair parts.*

2 Definition of Motor Vehicle Dealer. Amend RSA 357-C:1, VIII to read as follows:

VIII.(a) “Motor vehicle dealer” means any person engaged in the business of selling, offering to sell, soliciting or advertising the sale of new or used motor vehicles or possessing motor vehicles for the purpose of resale either on his own account or on behalf of another, either as his primary business or incidental thereto. *Motor vehicle dealer also means a person granted the right to service motor vehicles or component parts manufactured or distributed by the manufacturer but does not include any person who has an agreement with a manufacturer or distributor to perform service only on fleet, government, or rental vehicles.* However, “motor vehicle dealer” shall not include:

(1) Receivers, trustees, administrators, executors, guardians, or other persons appointed by or acting under judgment, decree or order of any court; or

(2) Public officers while performing their duties as such officers.

(b) “New motor vehicle dealer” means a motor vehicle dealer who holds a valid sales and service agreement, franchise or contract granted by the manufacturer or distributor for the sale, service, or both, of its new motor vehicles, *but does not include any person who has an agreement with a manufacturer or distributor to perform service only on fleet, government, or rental vehicles.*

(c) *The term “motor vehicle dealer” shall not include a single line equipment dealer. “Single line” dealer means a person, partnership, or corporation who is primarily engaged in the business of retail sales of farm and utility tractors, forestry equipment, industrial and construction equipment, farm implements, farm machinery, yard and garden equipment, attachments, accessories, and repair parts, and who:*

*(1) Has purchased 75 percent or more of the dealer’s total new product inventory from a single supplier; and*

*(2) Has a total annual average sales volume for the previous 3 years in excess of \$100,000,000 for the relevant market area for which the dealer is responsible.*

Amend the bill by replacing section 6 with the following:

6 Prohibited Conduct. Amend RSA 357-C:3, III(k) to read as follows:

(k) Compete with a motor vehicle dealer operating under an agreement or franchise from such manufacturer or distributor in the relevant market area; provided, however:

(1) If any manufacturer, distributor, distributor branch or division, or factory branch or division, either directly or indirectly, or through any subsidiary, affiliated entity, or person, owns, operates, or controls, in full or in part, a motor vehicle dealership in this state for the sale or service

of motor vehicles in this state, the relevant market area shall be the area within the entire state of New Hampshire and, except for circumstances in which subparagraph (3) may apply, the New Hampshire motor vehicle industry board shall find good cause under RSA 357-C:9 before any such ownership, operation, or control shall be permitted. In addition to those factors listed in RSA 357-C:9, II, the board in such circumstances shall also consider in its determination of good cause whether the proposed dealership will create an unfair method of competition to other franchisees of the same manufacturer, distributor, distributor branch or division, factory branch or division, subsidiary, or affiliated entity;

(2) That a manufacturer or distributor shall not be deemed to be competing when operating a dealership either temporarily, for a reasonable period in any case not to exceed 2 years; provided that if a manufacturer or distributor shows good cause, the board may extend this time limit and extensions may be granted by the board for periods of up to 12 months; or unless the manufacturer or dealer through a bona fide relationship in which an independent person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of such dealership on reasonable terms and conditions; ~~and~~

(3) A manufacturer that has no more than 5 franchised new motor vehicle dealers ~~[licensed to do]~~ **doing** business in this state and that directly or indirectly owns one or more of them shall not be deemed to be competing with any unaffiliated new motor vehicle dealer trading in the manufacturer's line make at a distance of 18 miles or greater provided that:

(A) All the new motor vehicle dealerships selling such manufacturer's motor vehicles trade exclusively in the manufacturer's line make;

(B) As of March 1, 2000, the manufacturer shall have directly or indirectly owned one or more new motor vehicle dealers in this state for a continuous period of at least one year; and

(C) Neither the manufacturer nor any entity in which the manufacturer has a majority ownership interest shall acquire, operate, or control any dealership that the manufacturer did not directly or indirectly own as of March 1, 2000; **and**

**(4) A manufacturer or distributor that sells and services motor vehicles in New Hampshire and is licensed as a dealer in New Hampshire shall not be deemed to be competing with any dealer if no dealer or other franchisee sells and services the same line make in New Hampshire.**

Amend the bill by replacing section 7 with the following:

7 Prohibited Conduct. Amend RSA 357-C:3, III(o) to read as follows:

(o) Change the relevant market area set forth in the franchise agreement without good cause. For purposes of the subparagraph, good cause shall include, but not be limited to, changes in the dealer's registration pattern, demographics, customer convenience, and geographic barriers[;]. **At least 60 days prior to the effective date of the revised relevant market area, the manufacturer or distributor shall provide the dealer whose relevant market area is subject to the proposed change, a reasonable and commercially acceptable copy of all information, data, evaluations, and methodology that the manufacturer or distributor considered, reviewed, or relied on or based its decision on, to propose the change to the dealer's relevant market area;**

Amend RSA 357-C:3, III(u) as inserted by section 9 of the bill by replacing it with the following:

(u)(1) Allocate vehicles, to evaluate the performance of a motor vehicle franchise, or to offer to a dealer any discount, incentive, bonus, program, allowance or credit (collectively "incentives"), using sales effective measurements that the manufacturer knows or reasonably should know includes exported vehicles, after being provided with notice and the opportunity to conduct an investigation as provided in subparagraph (u)(3). "Sales effective measurement" means a system that measures how effective a franchisee is at selling vehicles by comparing vehicle sales by that franchisee in the territory or geographic region assigned to the franchisee to vehicles sold in the same territory by other franchisees, or other similar methods of measurement. For the purposes of this section, "exported vehicles" are new vehicles that: (i) are titled in New Hampshire but not registered in New Hampshire or any other state; (ii) are titled and registered in New Hampshire but not issued a valid New Hampshire state inspection sticker; or (iii) are exported out of the country within 6 months of purchase.

(2) If a manufacturer uses sales effective measurements to allocate vehicles, evaluate a franchisee, or determine incentives, the manufacturer, upon the written request of one of its franchisees, shall, within 30 days, provide the vehicle identification numbers that the manufacturer possessed and used in the measurements during the time period requested by the dealer.

(3) If a manufacturer uses sales effective measurements to allocate vehicles, evaluate a franchisee, or determine incentives, a dealer may request that the manufacturer or distributor



investigate a claim that exported vehicles are included in the measurements. To initiate the investigation, the dealer shall provide reasonable documentation that 8 or more exported vehicles were used in the measurements. Acceptable documentation shall include, but not be limited to, data from the division of motor vehicles and vehicle history reports from third party vendors. Within 30 days of the dealer's request, the manufacturer shall investigate the claim and adjust those measurements proportionately to exclude any exported vehicles and adjust the allocation, evaluation, and incentives. As part of the investigation, the manufacturer shall provide the dealer with any and all information, data, evaluations, methodology or other items, that the manufacturer or distributor considered, reviewed, or relied on, for the measurement. The manufacturer shall have the burden to prove that it has acted in accordance with the requirements of this subparagraph. Amend RSA 357-C:3, III(v)(2) and (3) as inserted by section 9 of the bill by replacing them with the following:

(2) Prior to beginning any incentive or reimbursement program, the manufacturer shall provide in writing to each dealer of the same line-make that chooses to participate in the program the dealer's performance requirement or sales goal or objective, which shall include a detailed explanation of the methodology, criteria, and calculations used. The manufacturer shall provide each dealer with the performance requirement or sales goal or objective of all dealers participating in the program whose relevant market area includes territory within this state.

(3) A manufacturer shall allocate an adequate supply of vehicles, appropriate to the market, to its dealers by series, product line, and model to assist the dealer in achieving any performance standards established by the manufacturer and distributor.

Amend RSA 357-C:3, III(w) as inserted by section 9 of the bill by replacing it with the following:

(w)(1) Require a dealer to purchase goods or services from a vendor selected, identified, or designated by a manufacturer, factory branch, distributor, distributor branch, or one of its affiliates by agreement, program, incentive provision, or otherwise without making available to the dealer the option to obtain the goods or services of substantially similar quality and overall design from a vendor chosen by the dealer and approved by the manufacturer, factory branch, distributor, or distributor branch; provided that such approval shall not be unreasonably withheld, and further provided that the dealer's option to select a vendor shall not be available if the manufacturer or distributor provides substantial reimbursement for the goods or services offered. Substantial reimbursement is equal to or greater than 65 percent of the cost, which shall not be greater than the cost of reasonably available similar goods and services in close proximity to the dealer's market.

(2) Fail to provide to a dealer, if the goods and services to be supplied to the dealer by a vendor selected, identified, or designated by the manufacturer, factory branch, distributor, or distributor branch are signs or other franchisor image or design elements or trade dress to be leased to the dealer, the right to purchase the signs or other franchisor image or design elements or trade dress of substantially similar quality from a vendor selected by the dealer; provided that the signs, images, design elements, or trade dress are approved by the manufacturer, factory branch, distributor, or distributor branch and that such approval shall not be unreasonably withheld. This section shall not be construed to allow a dealer to impair or eliminate the intellectual property rights of the manufacturer, factory branch, distributor, or distributor branch, nor to permit a dealer to erect or maintain signs that do not conform to the intellectual property usage guidelines of the manufacturer, factory branch, distributor, or distributor branch.

Amend RSA 357-C:3, III(x) as inserted by section 9 of the bill by replacing it with the following:

(x) Make any express or implied statement or representation directly or indirectly that the dealer is under any obligation whatsoever to offer to sell or sell any extended service contract or extended maintenance plan, gap policy, gap waiver, or other aftermarket product or service offered, sold, backed by, or sponsored by the manufacturer or distributor or to sell, assign, or transfer any of the dealer's retail sales contracts or leases in this state on motor vehicles manufactured or sold by the manufacturer or distributor to a finance company or class of finance companies, leasing company or class of leasing companies, or other specified person, because of any relationship or affiliation between the manufacturer or distributor and the finance company or companies, leasing company or leasing companies, or the specified person or persons. Provided, however, that nothing in this subparagraph prohibits a manufacturer from requiring that a dealer disclose to a customer when the customer is about to purchase a product covered by this subparagraph that is not offered, sold, backed by, or sponsored by the manufacturer or distributor.

Amend RSA 357-C:3, III(y) as inserted by section 9 of the bill by replacing it with the following:

(y) Directly or indirectly condition the awarding of a franchise to a prospective franchisee, the addition of a line-make or franchise to an existing franchisee, the renewal of a franchise of an existing franchisee, the approval of the relocation of an existing franchisee's facility, or the approval of the sale or transfer of the ownership of a franchise on the willingness of a franchisee, proposed franchisee, or owner of an interest in the dealership facility to enter into a site control agreement or exclusive use agreement. For purposes of this subparagraph, the terms "site control agreement" and "exclusive use agreement" include any agreement that has the effect of either requiring that the franchisee establish or maintain exclusive dealership facilities or restricting the ability of the franchisee, or the ability of the franchisee's lessor in the event the dealership facility is being leased, to transfer, sell, lease, or change the use of the dealership premises, whether by sublease, lease, collateral pledge of lease, option to purchase, option to lease, or other similar agreement, regardless of the parties to such agreement. Any provision contained in any agreement that is inconsistent with the provisions of this subparagraph shall be voidable at the election of the affected franchisee, prospective franchisee, or owner of an interest in the dealership facility, provided this subparagraph shall not apply to a voluntary agreement where separate and valuable consideration has been offered and accepted, provided that the renewal of a franchise agreement or the manufacturer's waiver of a contractual or statutory right shall not by itself constitute separate and valuable consideration. Except as provided in this subparagraph, this chapter shall not apply to prospective franchisees.

Amend RSA 357-C:3, V(a)(4) as inserted by section 10 of the bill by replacing it with the following:

(4) Add to or replace or relocate purchased or leased signage or prohibit a dealer from substituting a sign owned by a dealer pursuant to RSA 357-C:3, III(w).

Amend RSA 357-C:3, V(c) as inserted by section 10 of the bill by replacing it with the following:

(c) Any cost to obtain a variance or other approval from any governmental body in order to proceed under subparagraph (a) shall be paid by the dealer in the first instance. When subsequent efforts are required to obtain the variance or other approval, including any appeals, the manufacturer or distributor that is seeking the action listed in subparagraphs (a)(1) through (a)(4) shall pay, provided that such subsequent efforts were not required because of clerical error or negligent action or inaction on the part of the dealer.

Amend RSA 357-C:3, V(d) and (e) as inserted by section 10 of the bill by replacing them with the following:

(d) Except as necessary to comply with health or safety laws or to comply with technology requirements necessary to sell or service a vehicle, it is unreasonable and not justifiable for a manufacturer or distributor to require, coerce, or attempt to coerce any new motor vehicle dealer by program, policy, facility guide, standard or otherwise to change the location of the dealership or construct, replace, renovate or make any substantial changes, alterations, or remodeling to a motor vehicle dealer's sales or service facilities before the 15th anniversary of the date of issuance of the certificate of occupancy or the manufacturer's approval, whichever is later, from:

(1) The date construction of the dealership at that location was completed if the construction was in substantial compliance with standards or plans provided by a manufacturer, distributor, or representative or through a subsidiary or agent of the manufacturer, distributor, or representative;

(2) The date a prior change, alteration, or remodel of the dealership at that location was completed if the construction was in substantial compliance with standards or plans provided by a manufacturer, distributor, or representative or through a subsidiary or agent of the manufacturer, distributor, or representative.

(e) Notwithstanding the 15-year limitation on manufacturer-mandated changes in subparagraph (d), the limitation shall not be effective if the manufacturer or distributor offers substantial reimbursement for the requested changes, alterations, or remodeling of a dealer's sales or service facilities. Substantial reimbursement is equal to or greater than 65 percent of the cost, which shall not be greater than the cost of reasonably available similar goods and services in close proximity to the dealer's market.

Amend the bill by replacing section 11 with the following:

11 New Section; Access to Documentation. Amend RSA 357-C by inserting after section 3 the following new section:

357-C:3-a Access to Documentation.

I. Once annually, a dealer may request to obtain a copy of (i) reports created in the regular course of business about the dealer, (ii) written correspondence with the dealer, and (iii) written reports prepared by a representative of the manufacturer or distributor documenting or memorializing any contact with a dealer or any employee or agent of the dealer, collectively known as "the documentation." The documentation required to be produced shall be limited to documentation created in the 12 months preceding the dealer's request. The manufacturer or distributor shall provide the documentation to the dealer within 30 days of the dealer's written request. The manufacturer shall certify that the documentation it produces is complete as of the date of the request. The manufacturer or distributor may charge the dealer a reasonable per page fee for reproduction, provided that such fee shall not exceed the usual and customary fee charged by copy centers in the immediate vicinity of the location of the documentation. No other fees or charges shall be permitted.

II. Any documents or portions of documents that are required to be produced pursuant to this section, which are not produced by the manufacturer or distributor in response to a dealer's request and that the manufacturer or distributor did not make a written, good faith objection to producing shall be excluded and not admissible as evidence or used in any manner at any proceeding at the motor vehicle industry board or any other state agency or any court proceeding. This paragraph shall not apply to any documents that document, evidence, or demonstrate insolvency, or alleged criminal, unlawful, or fraudulent activity by the dealer. At any proceeding before the motor vehicle industry board, any state agency, or any court, the presiding hearing officer, judge, board, or agency, may admit documents otherwise inadmissible under this paragraph if it is found that the documents were withheld in good faith or by accident or mistake.

III. A complete copy of any written report of any nature prepared by a representative of the manufacturer or distributor after any contact with a dealer or any employee or agent of the dealer shall be provided to the dealer within 60 days of the report's creation.

IV. Nothing in the section shall require a manufacturer to disclose privileged, confidential, proprietary, or private third party information or information about another dealer or dealers and this includes but is not limited to names, addresses, financial data, and any other information relating to other dealers that may otherwise be referenced in the supporting documentation, except for specific information which is used by the manufacturer to compare the requesting dealer's performance with other dealers.

Amend the bill by replacing section 12 with the following:

12 Warranty Obligations. Amend RSA 357-C:5, II(a) and (b)(1) to read as follows:

(a) The franchisor shall specify in writing to each of its new motor vehicle dealers ~~[licensed]~~ in this state, dealers' obligations for warranty service on its products, shall compensate the new motor vehicle dealer for warranty service required of the dealer by the manufacturer, and shall provide the dealer the schedule of compensation to be paid such dealer for parts, work and service in connection with warranty services, and the time allowance for the performance of such work and service. ***Warranty service on trucks and equipment, except for those sold by a single line equipment dealer, shall include the cost, including labor, to transport a motor vehicle under warranty in order to perform the warranty work and to return the motor vehicle to the customer, or, if transporting the trucks and equipment to the dealership is not mechanically or financially feasible, to travel to and return from the locations of the motor vehicle if the warranty repairs are performed at the location of the motor vehicle; provided that reimbursement for travel time shall not exceed 4 hours.***

(b)(1) In no event shall a schedule of compensation for parts, work, and service in connection with warranty services fail to include reasonable compensation for diagnostic work, as well as ***parts***, repair service and labor ***under the warranty or maintenance plan, extended warranty, certified preowned warranty or a service contract, issued by the manufacturer or distributor or its common entity.*** Time allowances for the diagnosis and performance of warranty work and service shall be reasonable and adequate for the work to be performed. In no event shall any manufacturer, component manufacturer, or distributor pay its dealers an amount of money for warranty work that is less than that charged by the dealer to the retail customers of the dealer for non-warranty work of like kind. ***In accordance with RSA 382-A:2-329, the manufacturer shall reimburse the franchisee for any parts so provided at the retail rate customarily charged by that franchisee for the same parts when not provided in satisfaction of a warranty and computed under this subparagraph.*** No claim which has been approved and paid by the manufacturer or distributor may be charged back to the dealer unless it can be shown that the claim was false or fraudulent, that the repairs were not properly

made or were unnecessary to correct the defective condition, or that the dealer failed to reasonably substantiate that the claim was in accordance with the written requirements of the manufacturer or distributor in effect at the time the claim arose. *A manufacturer or distributor shall not deny a claim solely based on a dealer's incidental failure to comply with a specific claim processing requirement, or a clerical error, or other administrative technicality.*

*(A) The obligations imposed on motor vehicle franchisors by this section shall apply to any parent, subsidiary, affiliate, or agent of the motor vehicle franchisor if a warranty or service or repair plan is issued by that person instead of or in addition to one issued by the motor vehicle franchisor.*

*(B)(i) In determining the rate and price customarily charged by the motor vehicle dealer to the public for parts, the compensation may be an agreed percentage markup over the dealer's cost under a writing separate and distinct from the franchise agreement signed after the dealer's request, but if an agreement is not reached within 30 days after a dealer's written request to be compensated under this section, compensation for parts shall be calculated by utilizing the method described in this paragraph.*

*(ii) If the dealer and the manufacturer are unable to agree to a percentage markup as provided by subparagraph (i), the retail rate customarily charged by the dealer for parts that the manufacturer is obligated to pay pursuant to RSA 382-A:2-329, shall be established by the dealer submitting to the manufacturer or distributor 100 sequential nonwarranty or customer-paid service repair orders or 90 consecutive days of nonwarranty, customer-paid service repair orders, whichever is less, each of which includes parts that would normally be used in warranty repairs and covered by the manufacturer's warranty, covering repairs made not more than 180 days before the submission and declaring the average percentage markup. The retail rate so declared must be reasonable as compared to other same line-make dealers of similar size in the immediate geographic vicinity of the dealer or, if none exist, immediately outside the dealer's geographic relevant market area within this state. The declared retail rate shall go into effect 30 days following the date on which the dealer submitted to the manufacturer or distributor the required number of nonwarranty or customer-paid service repair orders (hereafter referred to as the "submission date") subject to audit of the submitted nonwarranty or customer-paid service repair orders by the manufacturer or distributor and a rebuttal of the declared retail rate. If the manufacturer or distributor wishes to rebut the declared retail rate they must so inform the dealer not later than 30 days after the submission date and propose an adjustment of the average percentage markup based on the rebuttal not later than 60 days after the submission date. If the dealer does not agree with the proposed average percentage markup, the dealer may file a protest at the motor vehicle industry board not later than 90 days after the submission date. In the event a protest is filed, the manufacturer has the burden of proof to establish that the dealer's submission is unreasonable as compared to other same line-make dealers of similar size in the immediate geographic vicinity of the dealer or, if none exist, immediately outside the dealer's geographic relevant market area within this state. In the event a dealer prevails in a protest filed under this provision, the dealer's increased parts and/or labor reimbursement shall be provided retroactive to the date the submission would have been effective pursuant to the terms of this section but for the manufacturer's denial.*

*(iii) In calculating the retail rate customarily charged by the dealer for parts, the following work shall not be included in the calculation: routine maintenance not covered under any retail customer warranty, such as fluids, filters and belts not provided in the course of repairs; items that do not have an individual part number such as some nuts, bolts, fasteners and similar items; tires; vehicle reconditioning; parts covered by subparagraph (v); repairs for manufacturer special events and manufacturer discounted service campaigns; parts sold at wholesale or parts used in repairs of government agencies' repairs for which volume discounts have been negotiated by the manufacturer; promotional discounts on behalf of the manufacturer, internal billings, regardless of whether the billing is on an in-stock vehicle; and goodwill or policy adjustments.*

*(iv) A manufacturer or distributor shall not require a dealer to establish the retail rate customarily charged by the dealer for parts and labor by an unduly burdensome or time-consuming method or by requiring information that is unduly burdensome or time consuming to provide including, but not limited to, part-by-part or transaction-by-transaction calculations. A dealer shall not declare an average percentage markup or average labor rate more than once in a calendar year. A manufacturer or distributor may perform annual audits to verify that a*

*dealer's effective rates have not decreased and if it has may reduce the warranty reimbursement rate prospectively. Such audits shall not be performed more than once per calendar year at any dealer. The audit performed by the manufacturer shall be in accordance with the method to calculate the retail rate customarily charged by the dealer for parts as set out in subparagraph (ii) above and subject to the limitations in subparagraph (iii). If the dealer does not agree with the proposed average percentage markup, the dealer may file a protest at the motor vehicle industry board not later than 90 days after the manufacturer states the intended new retail rate as the result of the manufacturer's audit. In the event a protest is filed, the manufacturer has the burden of proof to establish that the proposed retail rate was calculated accurately and in accordance with this subparagraph. The proposed retail rate shall not be effective until the motor vehicle industry board issues a final order approving the proposed rate. If as the result of the audit performed in accordance with subparagraph (ii) the calculation shows that the dealer's average percentage markup is greater than the average percentage markup currently being used for the dealer's retail rate reimbursement, the dealer's average percentage markup shall be increased to the extent of the result of the audit. Any rate that is adjusted as a result of an audit performed in accordance with this subsection shall not be adjusted again until a period of 6 months from the effective date of the change has lapsed.*

*(v) If a motor vehicle franchisor or component manufacturer supplies a part or parts for use in a repair rendered under a warranty other than by sale of that part or parts to the motor vehicle franchisee, the motor vehicle franchisee shall be entitled to compensation equivalent to the motor vehicle franchisee's average percentage markup on the part or parts, as if the part or parts had been sold to the motor vehicle franchisee by the motor vehicle franchisor.*

*(1) The requirements of this subparagraph shall not apply to entire engine assemblies, entire transmission assemblies, in-floor heating systems, and rear-drive axles ("assemblies"). In the case of assemblies, the motor vehicle franchisor shall reimburse the motor vehicle franchisee in the amount of 30 percent of what the motor vehicle franchisee would have paid the motor vehicle franchisor for the assembly if the assembly had not been supplied by the franchisor other than by the sale of that assembly to the motor vehicle franchisee.*

*(2) The requirements of this subparagraph shall not apply to household appliances, furnishings, and generators of a motor home ("household items"). In the case of household items valued under \$600, the motor vehicle franchisor shall reimburse the motor vehicle franchisee in the amount of 30 percent of what the motor vehicle franchisee would have paid the motor vehicle franchisor for the household item if the household item had not been supplied by the franchisor other than by the sale of that assembly to the motor vehicle franchisee. For household items in excess of \$600, the markup would be capped as if the part were \$600. The motor vehicle franchisor shall also reimburse the franchisee for any freight costs incurred to return the removed parts.*

*(vi) A manufacturer or distributor may not otherwise recover its costs for reimbursing a franchisee for parts and labor pursuant to this section.*

Amend the bill by replacing section 13 with the following:

13 Warranty Obligations. Amend RSA 357-C:5, II(d)(2) and (3) to read as follows:

(2) A manufacturer, distributor, branch, or division shall retain the right to audit warranty claims for a period of [~~one year~~] **9 months** after the date on which the claim is paid and charge back any amounts paid on claims that are false or unsubstantiated.

(3) A manufacturer, distributor, branch, or division shall retain the right to audit all incentive and reimbursement programs for a period of [~~one year~~] **9 months** after the date on which the claim is paid or [~~one year~~] **9 months** from the end of a program that does not exceed one year, whichever is later, and charge back any amounts paid on claims that are false or unsubstantiated.

Majority committee amendment adopted.

Rep. Mulholland offered floor amendment (1553h).

#### **Floor Amendment (1553h)**

Amend the bill by replacing sections 1 and 2 with the following:

1 Section Heading and Definition of Motor Vehicle. Amend the section heading and RSA 357-C:1, I to read as follows:

357-C:1 Definitions. [~~As used in this chapter~~] **For the purpose of this chapter only:**

I. "Motor vehicle" means every self-propelled vehicle manufactured and designed primarily for use and operation on the public highways and required to be registered and titled under the laws of

New Hampshire[~~not including farm tractors and other machines and tools used in the production, harvesting, and care of farm products~~]. Except for RSA 357-C:3, I-b, and where otherwise specifically exempted from the provisions of this chapter, “motor vehicle” shall include off highway recreational vehicles and snowmobiles.

2 Definition of Motor Vehicle Dealer. Amend RSA 357-C:1, VIII to read as follows:

VIII.(a) “Motor vehicle dealer” means any person engaged in the business of selling, offering to sell, soliciting or advertising the sale of new or used motor vehicles or possessing motor vehicles for the purpose of resale either on his own account or on behalf of another, either as his primary business or incidental thereto. ***Motor vehicle dealer also means a person granted the right to service motor vehicles or component parts manufactured or distributed by the manufacturer but does not include any person who has an agreement with a manufacturer or distributor to perform service only on fleet, government, or rental vehicles.*** However, “motor vehicle dealer” shall not include:

(1) Receivers, trustees, administrators, executors, guardians, or other persons appointed by or acting under judgment, decree or order of any court; or

(2) Public officers while performing their duties as such officers.

(b) “New motor vehicle dealer” means a motor vehicle dealer who holds a valid sales and service agreement, franchise or contract granted by the manufacturer or distributor for the sale, ***service, or both***, of its new motor vehicles.

Amend the bill by replacing section 16 with the following:

16 Limitation on Cancellations, Terminations and Nonrenewals. Amend RSA 357-C:7, VI(b) to read as follows:

(b) The dealer cost of each new, unused, undamaged, and unsold part or accessory if such part or accessory is in the current parts catalog, was purchased from the manufacturer or distributor or from a subsidiary or affiliated company or authorized vendor, and is still in the original, resalable merchandising package and in unbroken lots, except that in the case of sheet metal, a comparable substitute for the original package may be used. ***Any part or accessory that is available to be purchased from the manufacturer on the date the notice of termination issued shall be considered to be included in the current parts catalog.***

Amend the bill by replacing all after section 17 with the following:

18 Study Committee Established. There is established a committee to study the potential consequences of repealing RSA 347-A.

I. The members of the committee shall be as follows:

(a) Four members of the house of representatives, appointed by the speaker of the house of representatives, 2 of whom shall be from the commerce and consumer affairs committee, one of whom shall be from the environment and agriculture committee, one of whom shall be from the judiciary committee.

(b) Three members of the senate, appointed by the president of the senate.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall consider the effect of repealing RSA 347-A, relative to the regulation of equipment dealerships, and identify potential costs and benefits associated with combining the regulation of motor vehicles and equipment under RSA 357-C. The committee shall consider, as an alternative to the repeal, any appropriate changes to RSA 347-A.

IV. The committee shall solicit input from:

(a) The Association of Equipment Manufacturers.

(b) The North American Equipment Dealers Association.

(c) The New Hampshire Automobile Dealers Association.

V. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 30 days of the effective date of this section. Five members of the committee shall constitute a quorum.

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

19 Effective Date.

I. Section 18 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect 90 days after its passage.

Rep. Mulholland spoke in favor.

Rep. Jones spoke against and yielded to questions.

Rep. Stephen Schmidt requested a roll call; not sufficiently seconded.

On a division vote, 47 members having voted in the affirmative and 319 in the negative, floor amendment (1553h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Reps. Itse and Mulholland spoke against.

Reps. Tucker, Sandblade and Schlachman spoke in favor.

Rep. Butler requested a roll call; sufficiently seconded.

## YEAS 338 NAYS 30

### YEAS 338

#### BELKNAP

Arsenault, Beth  
DiMartino, Lisa  
Greemore, Robert Jr  
Luther, Robert  
Worsman, Colette

Burchell, Richard  
Fields, Dennis  
Gulick, Ruth  
Raymond, Ian

Comtois, Guy  
Fink, Charles  
Holmes, Stephen  
Tilton, Franklin

Cormier, Jane  
Flanders, Donald  
Huot, David  
Vadney, Herbert

#### CARROLL

Ahlgren, Christopher  
Cordelli, Glenn  
Morrow, Harry  
Umberger, Karen

Buco, Thomas  
Crawford, Karel  
Nelson, Bill  
White, Syndi

Butler, Edward  
Lavender, Tom  
Schmidt, Stephen  
Wright, Donald

Chandler, Gene  
McConkey, Mark  
Ticehurst, Susan

#### CHESHIRE

Ames, Richard  
Emerson, Susan  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnson, Jane  
Sad, Tara  
Young, Harry

Chase, Cynthia  
Mann, John  
Shepardson, Marjorie

#### COOS

Coulombe, Gary  
Rappaport, Laurence  
Thomas, Yvonne

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Rideout, Leon

Moynihan, Wayne  
Theberge, Robert

#### GRAFTON

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Smith, Suzanne

Bailey, Brad  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Piper, Wendy  
Sykes, George

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Reilly, Harold Sr  
Townsend, Charles

#### HILLSBOROUGH

Backus, Robert  
Booras, Efstathia  
Campbell, David  
Coffey, James  
Daniels, Gary  
Eaton, Richard  
Gale, Sylvia  
Gorman, Mary  
Hammond, Jill  
Hikel, John

Beaulieu, Jane  
Brown, Pamela  
Carroll, Douglas  
Connor, Evelyn  
Danielson, David  
Flanagan, Jack  
Gargasz, Carolyn  
Grady, Brenda  
Hansberry, Daniel  
Hinch, Richard

Belanger, James  
Burt, John  
Cebrowski, John  
Cote, David  
DiSilvestro, Linda  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Harriott-Gathright, Linda  
Hopper, Gary

Boehm, Ralph  
Byron, Frank  
Chandlee, Shannon  
Culbert, Patrick  
Dobson, Jeremy  
Gagne, Larry  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Infantine, William

Jack, Martin  
Kelley, John  
LeBrun, Donald  
Levesque, Melanie  
Marston, Dick  
Murotake, David  
Notter, Jeanine  
Ober, Lynne  
Pellegrino, Tony  
Ramsey, Peter  
Rosenwald, Cindy  
Schmidt, Janice  
Soucy, Timothy  
Sullivan, Daniel  
Villeneuve, Moe  
Williams, Kermit

Jasper, Shawn  
Knowles, Mary Ann  
Leishman, Peter  
Long, Patrick  
Martel, Andre  
Murphy, Keith  
O'Brien, Michael Sr  
Ober, Russell III  
Peterson, Lenette  
Renzullo, Andrew  
Rowe, Robert  
Shattuck, Gilman  
Souza, Kathleen  
Sweeney, Shawn  
Walsh, Robert Jr  
Woodbury, David

Jeady, Jean  
Kopka, Angeline  
Levasseur, Nickolas  
MacKay, Mariellen  
McCloskey, David  
Murphy, Kelleigh  
O'Brien, William  
Palangas, Eric  
Porter, Marjorie  
Rhodes, Brian  
Sanborn, Laurie  
Shaw, Barbara  
Spratt, Stephen  
Takesian, Charlene  
Willette, Robert

Katsiantonis, Thomas  
Lambert, George  
LeVasseur, Richard  
Manley, Jonathan Sr  
Meaney, Richard  
Nelson, Mary  
O'Neil, William  
Palmer, Stephen  
Pratt, Calvin  
Rokas, Ted  
Sandblade, Emily  
Smith, Timothy  
Straight, Philip  
Vail, Suzanne  
Williams, Carol

### MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Hunt, Jane  
Kotowski, Frank  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Hess, David  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Watrous, Rick

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kelly, Sally  
Moffett, Howard  
Reed, Dennis  
Schuett, Dianne  
Wallner, Mary Jane  
Webb, Leigh

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
Hoell, J.R.  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

### ROCKINGHAM

Abrami, Patrick  
Baldasaro, Alfred  
Borden, David  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Dumaine, Dudley  
Ferrante, Beverly  
Garcia, Marilinda  
Hayes, Jack  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Muns, Chris  
Pantelakos, Laura  
Sanders, Elisabeth  
Sedensky, John  
Sytek, John  
Tremblay, Stella  
Wazlaw, Brian

Allen, Mary  
Belanger, Ronald  
Briden, Steven  
Charron, Gene  
DeSimone, Debra  
Elliott, Robert  
Fesh, Robert  
Gordon, Richard  
Heffron, Frank  
Introne, Robert  
Major, Norman  
Nigrello, Robert  
Peckham, Michele  
Sapareto, Frank  
Sherman, Thomas  
Tamburello, Daniel  
Tucker, Pamela  
Weyler, Kenneth

Andrews-Ahearn, E. Elaine  
Bick, Patrick  
Burtis, Elizabeth  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Flockhart, Eileen  
Griffin, Mary  
Helmstetter, Barbara  
Kappler, Lawrence  
Mann, Maureen  
O'Connor, John  
Priestley, Anne  
Scarlottto, Joe  
St.James, Kevin  
Thompson, David  
Ward, Gerald  
Whittemore, Lisa

Azarian, Gary  
Birdsell, Regina  
Cahill, Michael  
Copeland, Timothy  
Duarte, Joe  
Emerson-Brown, Rebecca  
Garcia, Bianca  
Harris, Jeffrey  
Hodgdon, Bruce  
Khan, Aboul  
Moody, Marcia  
Packard, Sherman  
Rice, Frederick  
Schlachman, Donna  
Sweeney, Joe  
Till, Mary  
Waterhouse, Kevin

### STRAFFORD

Baber, William  
Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Ketel, Stephen  
Pelletier, Marsha  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Beaudoin, Steven  
Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Malloy, Dennis  
Perry, Robert  
Schmidt, Peter  
Stevens, Audrey

Berube, Roger  
Burke, Rachel  
Grossman, Kenneth  
Jones, Laura  
Menear, H. Robert III  
Pitre, Joseph  
Smith, Marjorie  
Verschuereen, James

Bickford, David  
Ginsburg, Philip  
Hooper, Dorothea  
Kaen, Naida  
Mullen, John Jr  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet



**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip  
Tanner, Linda

**NAYS 30**  
**BELKNAP**

Sylvia, Michael

**CARROLL**

None

**CHESHIRE**

Hunt, John

Parkhurst, Henry

**COOS**

None

**GRAFTON**

Gionet, Edmond

Mulholland, Catherine

**HILLSBOROUGH**

Barry, Richard  
Hansen, Peter  
Ulery, Jordan

Christiansen, Lars  
Kurk, Neal  
Vaillancourt, Steve

Garcia, Michael  
O'Flaherty, Tim  
Warden, Mark

Hackel, Paul  
Parison, James  
Winters, Joel

**MERRIMACK**

Lockwood, Priscilla  
Smith, Todd

McGuire, Carol

McGuire, Dan

Rice, Chip

**ROCKINGHAM**

Comerford, Timothy  
McMahon, Charles

Grace, Curtis  
Oligny, Jeffrey

Itse, Daniel  
Webb, James Sr

Kolodziej, Walter

**STRAFFORD**

Groen, Warren

**SULLIVAN**

None

and the majority committee report was adopted and ordered to third reading.

Rep. Burns declared a conflict of interest and did not participate.

**SB 89**, relative to the definition of lead fishing sinkers and jigs and the penalties for prohibited sales of lead fishing sinkers and jigs. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David H. Kidder for the Majority of Fish and Game and Marine Resources: This bill closes a gap in current lead fishing tackle law by making the standard for lead jigs the same as it is for lead sinkers, in effort to reduce adult loon mortality. We heard six hours of testimony from experts saying that lead does kill loons and that lead fishing sinkers and jigs one ounce in weight and under are still the largest known cause of adult loon mortality. As amended, the bill has a three year phase-in to minimize impact on anglers and tackle retailers by providing them time to switch to non-lead tackle. This bill is a reasonable measure to protect an important part of our state's natural beauty and tourism economy. Vote 9-6.

Rep. Elisabeth N. Sanders for the Minority of Fish and Game and Marine Resources: While the minority acknowledges that lead is toxic, we believe this bill is premature and not warranted at this time. The committee issued an Interim Study report on 10/31/12 stating that, after much discussion, new legislation was NOT recommended in 2013 so a Fish and Game Steering Committee could review all the evidence. Despite last year's interim study report, SB 89 was introduced on January

3, 2013. Adult loon deaths by lead vary from year to year, with an average of 5.3 per year; no one wants to see loons die, but we are not convinced that this bill will reduce that number. A ban on lead sinkers and jigs has been in effect in NH since 2000. The current NH law is the most restrictive of any state. This bill would make NH law even more restrictive and presents significant concerns regarding the impact on our economy and on recreational activities. There are numerous unanswered questions, including the issue of enforcement both in the use and sale of banned lead tackle, and the substantial, additional taxpayer costs associated with this enforcement. The minority, with the support of our fish and game department, would prefer to defeat this bill and see the existing steering committee continue to engage all stakeholders to work together during 2013 to ensure that everyone can enjoy the wildlife resources in our state with effective legislation through a consensus.

### **Majority Amendment (1489h)**

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect June 1, 2016.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. James Webb offered floor amendment (1503h).

### **Floor Amendment (1503h)**

Amend the bill by replacing section 3 with the following:

3 Effective Date.

I. Section 2 of this act shall take effect June 1, 2019.

II. The remainder of this act shall take effect June 1, 2016.

Rep. James Webb spoke in favor.

### **(Rep. Kaen in the Chair)**

Rep. Ketel spoke against.

On a division vote, 117 members having voted in the affirmative and 222 in the negative, floor amendment (1503h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Reps. Burt and Sanders spoke against.

### **(Speaker Norelli in the Chair)**

Reps. Kidder and Manley spoke in favor.

### **(Rep. Kaen in the Chair)**

### **MOTION TO LAY ON THE TABLE**

Rep. Baldasaro moved that **SB 89**, relative to the definition of lead fishing sinkers and jigs and the penalties for prohibited sales of lead fishing sinkers and jigs, be laid on the table.

Rep. Andrew White requested a roll call; sufficiently seconded.

### **YEAS 156 NAYS 211**

#### **YEAS 156**

#### **BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

#### **CARROLL**

Ahlgren, Christopher  
Merrow, Harry

Chandler, Gene  
Nelson, Bill

Lavender, Tom  
Umberger, Karen

McConkey, Mark  
Wright, Donald

#### **CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

Theberge, Robert

**GRAFTON**Bailey, Brad  
Lauer, LindaBradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**Barry, Richard  
Byron, Frank  
Coffey, James  
Flanagan, Jack  
Goley, Jeffrey  
Hansen, Peter  
Jasper, Shawn  
Marston, Dick  
Murphy, Keith  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Sullivan, Daniel  
Willette, RobertBelanger, James  
Carroll, Douglas  
Culbert, Patrick  
Gagne, Larry  
Gorman, Mary  
Hikel, John  
Lambert, George  
Martel, Andre  
Nelson, Mary  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Shaw, Barbara  
Ulery, JordanBoehm, Ralph  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Graham, John  
Hinch, Richard  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Soucy, Timothy  
Villeneuve, MoeBurt, John  
Christiansen, Lars  
Danielson, David  
Gidge, Kenneth  
Haefner, Robert  
Hopper, Gary  
LeVasseur, Richard  
Murotake, David  
O'Brien, Michael Sr  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Straight, Philip  
Warden, Mark**MERRIMACK**Hoell, J.R.  
Reed, DennisKotowski, Frank  
Smith, ToddMcGuire, Carol  
Walsh, Thomas IVMcGuire, Dan  
Walz, Mary Beth**ROCKINGHAM**Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
Nigrello, Robert  
Priestley, Anne  
Scarlottio, Joe  
Tamburello, Daniel  
Waterhouse, KevinAllen, Mary  
Birdsell, Regina  
Copeland, Timothy  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Thompson, David  
Webb, James SrAzarian, Gary  
Charron, Gene  
DeSimone, Debra  
Ferrante, Beverly  
Gordon, Richard  
Hayes, Jack  
Itse, Daniel  
Major, Norman  
Oigny, Jeffrey  
Sanders, Elisabeth  
St.James, Kevin  
Tremblay, Stella  
Weyler, KennethBaldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
McMahon, Charles  
Packard, Sherman  
Sapareto, Frank  
Sweeney, Joe  
Tucker, Pamela**STRAFFORD**Beaudoin, Steven  
Jones, LauraBickford, David  
Mullen, John JrGray, James  
Pitre, Joseph

Groen, Warren

**SULLIVAN**

Rollins, Skip

**NAYS 211  
BELKNAP**Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

**CARROLL**Buco, Thomas  
Schmidt, StephenButler, Edward  
Ticehurst, SusanCordelli, Glenn  
White, Syndi

Crawford, Karel

**CHESHIRE**

Ames, Richard  
Emerson, Susan  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Mann, John  
Sad, Tara  
Young, Harry

Chase, Cynthia  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Richardson, Herbert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Ford, Susan  
Ladd, Rick Jr  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
DiSilvestro, Linda  
Gale, Sylvia  
Hammond, Jill  
Infantine, William  
Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
O'Neil, William  
Rhodes, Brian  
Shattuck, Gilman  
Sweeney, Shawn  
Walsh, Robert Jr  
Woodbury, David

Beaulieu, Jane  
Chandley, Shannon  
Dobson, Jeremy  
Gargas, Carolyn  
Hansberry, Daniel  
Jack, Martin  
Knowles, Mary Ann  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Palangas, Eric  
Rokas, Ted  
Smith, Timothy  
Takesian, Charlene  
Williams, Carol

Booras, Efstathia  
Connor, Evelyn  
Eaton, Richard  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeudy, Jean  
Kopka, Angeline  
Levesque, Melanie  
McCloskey, David  
Porter, Marjorie  
Rosenwald, Cindy  
Souza, Kathleen  
Vail, Suzanne  
Williams, Kermit

Brown, Pamela  
Cote, David  
Gage, Ruth  
Hackel, Paul  
Heden, Ruth  
Katsiantonis, Thomas  
Kurk, Neal  
Long, Patrick  
Murphy, Kelleigh  
Ramsey, Peter  
Schmidt, Janice  
Spratt, Stephen  
Vaillancourt, Steve  
Winters, Joel

**MERRIMACK**

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Dumaine, Dudley  
Heffron, Frank  
Moody, Marcia  
Peckham, Michele  
Till, Mary

Belanger, Ronald  
Cahill, Michael  
Elliott, Robert  
Helmstetter, Barbara  
Muns, Chris  
Schlachman, Donna  
Ward, Gerald

Borden, David  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Norelli, Terie  
Sherman, Thomas  
Wazlaw, Brian

Briden, Steven  
Cushing, Robert Jr  
Flockhart, Eileen  
Mann, Maureen  
Pantelakos, Laura  
Sytek, John  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Burke, Rachel

Berube, Roger  
Ginsburg, Philip

Bixby, Peter  
Grassie, Anne

Burdwood, Greg  
Grossman, Kenneth

Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Horrigan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Hubbard, Pamela  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Smith, Steven  
and the motion failed.

Gagnon, Raymond  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
O'Hearne, Andrew  
Tanner, Linda

Grenier, James  
Schmidt, Andrew

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Michael Garcia spoke against.

### (Speaker Norelli in the Chair)

Rep. Lefebvre spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

### YEAS 225 NAYS 142

#### YEAS 225

#### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth  
Vadney, Herbert

Holmes, Stephen

#### CARROLL

Buco, Thomas  
Nelson, Bill

Butler, Edward  
Schmidt, Stephen

Cordelli, Glenn  
Ticehurst, Susan

Crawford, Karel  
White, Syndi

#### CHESHIRE

Ames, Richard  
Emerson, Susan  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Mann, John  
Sad, Tara  
Young, Harry

Chase, Cynthia  
Parkhurst, Henry  
Shepardson, Marjorie

#### COOS

Coulombe, Gary  
Richardson, Herbert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

#### GRAFTON

Aguiar, James  
Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Almy, Susan  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Bailey, Brad  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

#### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeudy, Jean  
Kopka, Angeline  
Levesque, Melanie  
McCloskey, David

Beaulieu, Jane  
Chandlee, Shannon  
Dobson, Jeremy  
Gargas, Carolyn  
Hackel, Paul  
Heden, Ruth  
Katsiantonis, Thomas  
Kurk, Neal  
Long, Patrick  
Murphy, Kelleigh

Booras, Efstathia  
Coffey, James  
Eaton, Richard  
Gidge, Kenneth  
Hammond, Jill  
Infantine, William  
Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
O'Brien, Michael Sr

Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Knowles, Mary Ann  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Ober, Lynne

Ober, Russell III  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vaillancourt, Steve  
Woodbury, David

Palangas, Eric  
Rokas, Ted  
Shaw, Barbara  
Sweeney, Shawn  
Walsh, Robert Jr

Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Takesian, Charlene  
Williams, Carol

Ramsey, Peter  
Schmidt, Janice  
Souza, Kathleen  
Vail, Suzanne  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

### ROCKINGHAM

Abrami, Patrick  
Burtis, Elizabeth  
Cushing, Robert Jr  
Flockhart, Eileen  
Mann, Maureen  
Peckham, Michele  
Sweeney, Joe  
Wazlaw, Brian

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Dumaine, Dudley  
Heffron, Frank  
Moody, Marcia  
Schlachman, Donna  
Sytek, John  
Whittemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Helmstetter, Barbara  
Muns, Chris  
Sherman, Thomas  
Till, Mary

Briden, Steven  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
St.James, Kevin  
Ward, Gerald

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Berube, Roger  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Smith, Steven

Gagnon, Raymond  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gottling, Suzanne  
O'Hearne, Andrew  
Tanner, Linda

Grenier, James  
Schmidt, Andrew

### NAYS 142

### BELKNAP

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Flanders, Donald  
Tilton, Franklin

Cormier, Jane  
Greemore, Robert Jr  
Worsman, Colette

Fields, Dennis  
Luther, Robert

### CARROLL

Ahlgren, Christopher  
Morrow, Harry

Chandler, Gene  
Umberger, Karen

Lavender, Tom  
Wright, Donald

McConkey, Mark

### CHESHIRE

Hunt, John

Johnson, Jane

### COOS

Rappaport, Laurence

Rideout, Leon

Theberge, Robert

**GRAFTON**

Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond	Reilly, Harold Sr
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**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Carroll, Douglas	Cebrowski, John	Christiansen, Lars
Culbert, Patrick	Daniels, Gary	Danielson, David	DiSilvestro, Linda
Flanagan, Jack	Gagne, Larry	Garcia, Michael	Goley, Jeffrey
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Hinch, Richard	Hopper, Gary	Jasper, Shawn	Lambert, George
LeBrun, Donald	LeVasseur, Richard	Marston, Dick	Martel, Andre
Meaney, Richard	Murotake, David	Murphy, Keith	Nelson, Mary
Notter, Jeanine	O'Brien, William	O'Flaherty, Tim	O'Neil, William
Palmer, Stephen	Parison, James	Pellegrino, Tony	Peterson, Lenette
Pratt, Calvin	Renzullo, Andrew	Rowe, Robert	Sanborn, Laurie
Sandblade, Emily	Soucy, Timothy	Straight, Philip	Sullivan, Daniel
Ulery, Jordan	Villeneuve, Moe	Warden, Mark	Willette, Robert
Winters, Joel			

**MERRIMACK**

Hoell, J.R.	Kotowski, Frank	McGuire, Carol	McGuire, Dan
Reed, Dennis	Smith, Todd	Walsh, Thomas IV	

**ROCKINGHAM**

Allen, Mary	Azarian, Gary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Charron, Gene	Chirichiello, Brian	Comerford, Timothy
DeSimone, Debra	Devine, James	Duarte, Joe	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Garcia, Bianca	Garcia, Marilinda
Gordon, Richard	Grace, Curtis	Griffin, Mary	Harris, Jeffrey
Hayes, Jack	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter
Major, Norman	McMahon, Charles	Nigrello, Robert	O'Connor, John
Oligny, Jeffrey	Packard, Sherman	Priestley, Anne	Rice, Frederick
Sanders, Elisabeth	Sapareto, Frank	Scarlotta, Joe	Sedensky, John
Tamburello, Daniel	Thompson, David	Tremblay, Stella	Tucker, Pamela
Waterhouse, Kevin	Webb, James Sr	Weyler, Kenneth	

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Gray, James	Groen, Warren
Jones, Laura	Mullen, John Jr	Pitre, Joseph	

**SULLIVAN**

Rollins, Skip

and the majority committee report was adopted and ordered to third reading.

**SB 122-FN, establishing a commercial shrimp license. OUGHT TO PASS.**

Rep. Stephen M. Ketel for Fish and Game and Marine Resources: New Hampshire, Maine, and Massachusetts, the three states in the Northern Shrimp Section of the Atlantic States Marine Fisheries Commission, are cooperating to manage the Northern Shrimp fishery. The Northern Shrimp fishery is vulnerable and New Hampshire's stake in the fishery is threatened by a large increase in the number of boats coming out of Maine. The commission's management plan involves limiting the number of additional boats beyond historical numbers that harvest northern shrimp. A shrimp license is needed for this plan to work and New Hampshire is the only state that lacks a license specifically for shrimp. Without this bill, New Hampshire's stake in the fishery is likely to decrease significantly. The committee heard testimony that industry is in support of the bill. Vote 12-1.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

**YEAS 257 NAYS 107****YEAS 257****BELKNAP**

Arsenault, Beth  
Gulick, Ruth

Cormier, Jane  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
Crawford, Karel  
Ticehurst, Susan

Buco, Thomas  
Lavender, Tom  
Umberger, Karen

Butler, Edward  
Morrow, Harry  
White, Syndi

Chandler, Gene  
Schmidt, Stephen

**CHESHIRE**

Ames, Richard  
Emerson, Susan  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Mann, John  
Sad, Tara  
Young, Harry

Chase, Cynthia  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

Almy, Susan  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Benn, Bernard  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Bradley, Lester  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Coffey, James  
DiSilvestro, Linda  
Gagne, Larry  
Goley, Jeffrey  
Hackel, Paul  
Harriott-Gathright, Linda  
Jeudy, Jean  
Kopka, Angeline  
Levesque, Melanie  
Martel, Andre  
O'Neil, William  
Rhodes, Brian  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
Connor, Evelyn  
Dobson, Jeremy  
Gale, Sylvia  
Gorman, Mary  
Haefner, Robert  
Heden, Ruth  
Katsiantonis, Thomas  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
Palangas, Eric  
Rokas, Ted  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Carol

Booras, Efstathia  
Chandley, Shannon  
Cote, David  
Eaton, Richard  
Gargas, Carolyn  
Grady, Brenda  
Hammond, Jill  
Jack, Martin  
Kelley, John  
Levasseur, Nickolas  
MacKay, Mariellen  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy  
Shaw, Barbara  
Takesian, Charlene  
Williams, Kermit

Brown, Pamela  
Christiansen, Lars  
Danielson, David  
Gage, Ruth  
Gidge, Kenneth  
Graham, John  
Hansberry, Daniel  
Jasper, Shawn  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Rowe, Robert  
Smith, Timothy  
Vail, Suzanne  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Lockwood, Priscilla  
Patten, Dick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
MacKay, James  
Ratzki, Mario

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Kidder, David  
Moffett, Howard  
Rice, Chip

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary



Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Schuett, Dianne  
Wallner, Mary Jane

Shurtleff, Stephen  
Walz, Mary Beth

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Flockhart, Eileen  
Hayes, Jack  
Lovejoy, Patricia  
Muns, Chris  
Pantelakos, Laura  
Sherman, Thomas  
Ward, Gerald

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Copeland, Timothy  
Emerick, J. Tracy  
Gordon, Richard  
Heffron, Frank  
Major, Norman  
Nigrello, Robert  
Sanders, Elisabeth  
Sweeney, Joe  
Wazlaw, Brian

Azarian, Gary  
Burtis, Elizabeth  
Cushing, Robert Jr  
Emerson-Brown, Rebecca  
Grace, Curtis  
Helmstetter, Barbara  
Mann, Maureen  
O'Connor, John  
Scarlotto, Joe  
Sytek, John  
Weyler, Kenneth

Birdsell, Regina  
Cahill, Michael  
DeSimone, Debra  
Ferrante, Beverly  
Harris, Jeffrey  
Khan, Aboul  
Moody, Marcia  
Packard, Sherman  
Schlachman, Donna  
Till, Mary  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Berube, Roger  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Mullen, John Jr  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Bickford, David  
Ginsburg, Philip  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip  
Tanner, Linda

### NAYS 107

### BELKNAP

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Comtois, Guy  
Holmes, Stephen  
Worsman, Colette

Fields, Dennis  
Luther, Robert

Fink, Charles  
Sylvia, Michael

### CARROLL

Cordelli, Glenn

McConkey, Mark

Nelson, Bill

Wright, Donald

### CHESHIRE

Hunt, John

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad

Doolan, Ralph Jr

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Flanagan, Jack  
Hinch, Richard  
Lambert, George  
Murotake, David

Belanger, James  
Cebrowski, John  
Garcia, Michael  
Hopper, Gary  
LeBrun, Donald  
Murphy, Keith

Boehm, Ralph  
Culbert, Patrick  
Hansen, Peter  
Infantine, William  
Marston, Dick  
Murphy, Kelleigh

Burt, John  
Daniels, Gary  
Hikel, John  
Kurk, Neal  
Meaney, Richard  
Notter, Jeanine

O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Soucy, Timothy  
Ulery, Jordan  
Willette, Robert

O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Vaillancourt, Steve  
Winters, Joel

Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Straight, Philip  
Villeneuve, Moe

Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Sweeney, Shawn  
Warden, Mark

### MERRIMACK

Hoell, J.R.

McGuire, Carol

McGuire, Dan

Walsh, Thomas IV

### ROCKINGHAM

Allen, Mary  
Chirichiello, Brian  
Dumaine, Dudley  
Griffin, Mary  
Itse, Daniel  
Oigny, Jeffrey  
Sapareto, Frank  
Thompson, David  
Webb, James Sr

Baldasaro, Alfred  
Comerford, Timothy  
Fesh, Robert  
Hodgdon, Bruce  
Kappler, Lawrence  
Peckham, Michele  
Sedensky, John  
Tremblay, Stella

Bick, Patrick  
Devine, James  
Garcia, Bianca  
Hoelzel, Kathleen  
Kolodziej, Walter  
Priestley, Anne  
St.James, Kevin  
Tucker, Pamela

Charron, Gene  
Duarte, Joe  
Garcia, Marilinda  
Introne, Robert  
McMahon, Charles  
Rice, Frederick  
Tamburello, Daniel  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven

Groen, Warren

Jones, Laura

Pitre, Joseph

### SULLIVAN

None

and the committee report was adopted and ordered to third reading.

The House recessed at 1:13 p.m.

### RECESS

The House reconvened at 2:15 p.m.

**(Speaker Norelli in the Chair)**

### REGULAR CALENDAR (CONT'D)

**SB 152-FN-A-L**, relative to video lottery and table gaming. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary Jane Wallner for the Majority of the Joint Committee of Finance and Ways and Means: SB 152 proposes to license one "high end, highly regulated" casino for a one-time \$80 million licensing fee and future tax rate of 30% on up to 5,000 slot machines and a 14% tax rate on up to 150 table games. In exchange for being able to award a license and receive the fee in the next budget cycle, the bill short circuits the regulatory process that would ensure a casino would indeed be "highly regulated" and able to serve the best interests of the people of New Hampshire. In addition, despite the claims of supporters that we need gambling revenues to fund essential safety net services, SB 152 does exactly the opposite, creating restricted revenue streams rather than putting the money in the general fund where it can be spent on the important state programs our constituents care most about. Finally, this bill asks us to balance new jobs with an increase in social problems and costs in ways that are not well-quantified. The majority believes the bill does not create a meaningful regulatory structure or process necessary for effective checks and balances. The regulatory provision contains numerous significant weaknesses and deficiencies that could not be fully understood or addressed during a month-long subcommittee process. The bill vests the Lottery Commission, a three-person, part time board, with the primary responsibility to provide oversight and adopt regulations and enforce regulations. At the same time, it does not give the Attorney General enough regulatory oversight to ensure the public interest is adequately protected. In order to get the \$80 million fee in the next biennium, it creates an arbitrary and unreasonable timeline, commencing the licensing process before the Lottery Commission has enough time to write rules and adopt them through the JLCAR process. The timing is not long enough to allow for a reasonable expectation of accepting multiple applications to operate a casino, again short-circuiting the robust and competitive process

that would increase the probability we would get the best casino deal. Finally, the bill ignores the recommendations of the Gambling Commission issued in 2010, which stated emphatically that a strong regulatory infrastructure must be in place before the licensing process can begin. SB 152 puts the cart before the horse, thus failing to protect our interests in the way we should expect. The majority is also concerned about the bill's revenue provisions. If the purpose of casino gambling is to create a robust, sustainable revenue stream into the future, SB 152 probably does not achieve that goal since it appears to sacrifice long term revenue for a one-time payment. Specifically, a lower licensing fee combined with higher tax rates would likely maximize revenue for the state. Other states have used a bidding process to find the highest rate and employed consultants to help create a financial structure. SB 152 does neither. In addition, the minimum required investment is not high enough to generate the highest revenues we could reasonably expect. SB 152 grants a "forever" license for a low renewal fee due every 10 years. A more prudent approach would be to increase the length of the license and then require a higher fee through a competitive re-licensing process. The bill also misses an opportunity to share some of the profits if the casino's ownership changes hands, allowing all potential profit to be tax-free. The majority is also disturbed by the bill's failure to make future revenues available in the operating budget, instead creating only restricted revenues. The funds are dedicated to support highway debt (a proposal that the State Treasurer says is not feasible), an ill-conceived North Country Economic Development Fund with absolutely no oversight or accountability, the university system, millions to the local communities and, finally, a dedicated funding stream to treat gambling addiction that is either too high or too low but certainly not based on any facts. Part of the argument for a casino is that it would be just one. We should remember the potato chip example; no state has stayed with just one casino. Proliferation is not just certain; it is actually contemplated in the bill through the creation of a study commission with members without specific qualification but with a charge to evaluate whether "additional licenses should be issued for gaming locations." The lure of jobs is a key selling point for supporters, but there is no guarantee that these jobs would go to NH residents, especially with a location on the southern border, and a neighboring state with a more densely concentrated population and a higher unemployment rate. The majority is concerned about the cannibalization of existing local businesses. The total amount of entertainment spending is finite, and, unlike with local businesses, the majority of business profits of this new venture will be sent out of state and out of our economy. Finally, the number of NH residents with gambling addiction will rise, and with it the cost to government and families. For all these reasons, the majority of the committee believes that, while no bill is perfect, SB 152 is not good enough. There are still too many unknowns. The state made a short-sighted decision when it did not spend money appropriated in the last budget to hire experienced consulting assistance that could have answered many of the questions. This bill does not have the regulatory infrastructure to ensure protection of the public interest, it does not maximize revenues or put them in the right place, and it affects New Hampshire's brand and quality of life in ways that are impossible to measure and, therefore, impossible to adequately protect. Vote 23-22.

Rep. Peter Leishman for the Minority of the Joint Committee of Finance and Ways and Means: SB 152 will strengthen New Hampshire's (NH's) economy, generate millions of dollars in new revenue, reduce the outflow of NH dollars to other states, and create thousands of NH jobs by authorizing the licensing of one highly regulated, high-end destination casino through a competitive bidding process. A recent poll shows that 63% of our citizens support expanded gambling. They prefer job creation and a voluntary tax on those who choose to gamble over any other alternative revenue source. If the ITL is overturned, an amendment crafted by the minority that will significantly strengthen the bill will be offered. Changes will ensure that appropriate regulations are in place when needed, the application process is fair to all prospective bidders, stringent background checks are completed, close oversight and enforcement is provided to deter criminal activity, and any undue influence is prevented. Additional changes will also encourage the hiring of NH residents, enhance protections for charitable gaming and existing entertainment venues, and encourage energy efficient construction and the provision of child care. If SB 152 as Amended does not pass, NH will not receive \$130 million per year in gaming revenue, existing NH revenue will decline by \$24 M per year due to reduced room and meals tax and lottery sales, our citizens will spend their gaming dollars in Massachusetts rather than NH, some of them will return home to NH suffering negative social consequences, and our charities will suffer a major decline in contributions. With Massachusetts aggressively moving forward with expanded gambling, if New Hampshire does not develop a plan, the New Hampshire Center for Public Policy Studies concluded that the state will lose \$75 million a year to Massachusetts

in rooms & meals, lottery and social costs. The legislation as amended will provide new monies for the General Fund and support basic safety net and other critical services such as school building aid, higher education, uncompensated hospital care, and economic development assistance to the North Country. If an amended casino bill is not passed, the House will have little or no leverage to support the House Budget position when the committee of conference process moves forward with its priorities for major (i.e., \$140 M to \$300 M) cuts in the House Budget. The minority urges you to give New Hampshire the chance to move forward now, before the opportunity to maximize revenue while reducing unfunded social costs is lost.

The question being adoption of the majority committee report of Inexpedient to Legislate.  
 Reps. Spratt, St. James, Huot, Butler, Azarian, Levesque and Campbell spoke against.  
 Reps. Sapareto and James Webb spoke against and yielded to questions.  
 Reps. Gary Richardson, Rideout, Backus, Groen, Marjorie Smith and Hess spoke in favor.  
 Reps. Lovejoy, Vaillancourt and Hoell spoke in favor and yielded to questions.  
 Rep. Schamberg requested a roll call; sufficiently seconded.

## YEAS 199 NAYS 164

### YEAS 199

#### BELKNAP

Arsenault, Beth	Burchell, Richard	Comtois, Guy	Cormier, Jane
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen
Raymond, Ian	Sylvia, Michael	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			

#### CARROLL

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	Lavender, Tom
Nelson, Bill	Umberger, Karen		

#### CHESHIRE

Chase, Cynthia	Emerson, Susan	Hunt, John	Johnson, Jane
Mann, John	Parkhurst, Henry	Roberts, Kris	Robertson, Timothy
Shepardson, Marjorie			

#### COOS

Hammon, Marcia	Rappaport, Laurence	Rideout, Leon
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#### GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bradley, Lester
Cooney, Mary	Doolan, Ralph Jr	Ford, Susan	Friedrich, Carol
Harding, Laurie	Higgins, Patricia	Lovett, Sid	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy	Reilly, Harold Sr
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

#### HILLSBOROUGH

Backus, Robert	Barry, Richard	Belanger, James	Boehm, Ralph
Burt, John	Cebrowski, John	Chandley, Shannon	Christiansen, Lars
Coffey, James	Connor, Evelyn	Daniels, Gary	Danielson, David
Dobson, Jeremy	Flanagan, Jack	Gagne, Larry	Gale, Sylvia
Gargas, Carolyn	Graham, John	Hansberry, Daniel	Hansen, Peter
Heden, Ruth	Hikel, John	Hopper, Gary	Infantine, William
Jack, Martin	Jasper, Shawn	Katsiantonis, Thomas	Kelley, John
Kurk, Neal	Lambert, George	LeBrun, Donald	LeVasseur, Richard
Marston, Dick	Meaney, Richard	Murotake, David	Notter, Jeanine
O'Brien, William	O'Flaherty, Tim	Palmer, Stephen	Parison, James
Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew	Rowe, Robert
Sanborn, Laurie	Sandblade, Emily	Schmidt, Janice	Shattuck, Gilman

Smith, Timothy  
Villeneuve, Moe

Souza, Kathleen  
Warden, Mark

Straight, Philip  
Willette, Robert

Vaillancourt, Steve  
Woodbury, David

### MERRIMACK

Bartlett, Christy  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
McGuire, Carol  
Reed, Dennis  
Wallner, Mary Jane

Carey, Lorrie  
Frambach, Mary  
Hess, David  
Kidder, David  
McGuire, Dan  
Rice, Chip  
Walsh, Thomas IV

Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Moffett, Howard  
Richardson, Gary  
Walz, Mary Beth

Davis, Frank  
French, Barbara  
Hoell, J.R.  
MacKay, James  
Myler, Mel  
Shurtleff, Stephen  
Watrous, Rick

### ROCKINGHAM

Abrami, Patrick  
Cali-Pitts, Jacqueline  
Dumaine, Dudley  
Flockhart, Eileen  
Harris, Jeffrey  
Introne, Robert  
Major, Norman  
Rice, Frederick  
Sherman, Thomas  
Tucker, Pamela

Bick, Patrick  
Comerford, Timothy  
Emerick, J. Tracy  
Garcia, Marilinda  
Heffron, Frank  
Itse, Daniel  
Moody, Marcia  
Sanders, Elisabeth  
Sytek, John  
Ward, Gerald

Birdsell, Regina  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
Packard, Sherman  
Scarlotta, Joe  
Tamburello, Daniel  
Wazlaw, Brian

Borden, David  
Duarte, Joe  
Fesh, Robert  
Grace, Curtis  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Peckham, Michele  
Schlachman, Donna  
Tremblay, Stella

### STRAFFORD

Beaudoin, Steven  
Grassie, Anne  
Hubbard, Pamela  
Malloy, Dennis  
Rogers, Rose Marie  
Wall, Janet

Bickford, David  
Gray, James  
Jones, Laura  
Pelletier, Marsha  
Schmidt, Peter

Burke, Rachel  
Groen, Warren  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie

Ginsburg, Philip  
Hooper, Dorothea  
Ketel, Stephen  
Pitre, Joseph  
Spang, Judith

### SULLIVAN

Gottling, Suzanne

Schmidt, Andrew

Tanner, Linda

### NAYS 164

### BELKNAP

DiMartino, Lisa

Fields, Dennis

Gulick, Ruth

Huot, David

### CARROLL

Ahlgren, Christopher  
Morrow, Harry  
Wright, Donald

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

McConkey, Mark  
White, Syndi

### CHESHIRE

Ames, Richard  
Sad, Tara

Berch, Paul  
Tatro, Bruce

Butynski, William  
Weber, Lucy

Johnsen, Gladys  
Young, Harry

### COOS

Coulombe, Gary  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

### GRAFTON

Bailey, Brad  
Lauer, Linda

Brown, Rebecca  
Massimilla, Linda

Gionet, Edmond

Ladd, Rick Jr

### HILLSBOROUGH

Beaulieu, Jane  
Byron, Frank

Boisvert, Ronald  
Campbell, David

Booras, Efstathia  
Carroll, Douglas

Brown, Pamela  
Cote, David

Culbert, Patrick  
 Garcia, Michael  
 Grady, Brenda  
 Harriott-Gathright, Linda  
 Kopka, Angeline  
 Long, Patrick  
 McCloskey, David  
 Ober, Lynne  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Sullivan, Daniel  
 Walsh, Robert Jr

DiSilvestro, Linda  
 Gidge, Kenneth  
 Hackel, Paul  
 Hinch, Richard  
 Leishman, Peter  
 MacKay, Mariellen  
 Nelson, Mary  
 Ober, Russell III  
 Ramsey, Peter  
 Shaw, Barbara  
 Takesian, Charlene  
 Williams, Carol

Eaton, Richard  
 Goley, Jeffrey  
 Haefner, Robert  
 Jeudy, Jean  
 Levasseur, Nickolas  
 Manley, Jonathan Sr  
 O'Brien, Michael Sr  
 Palangas, Eric  
 Rhodes, Brian  
 Soucy, Timothy  
 Ulery, Jordan  
 Williams, Kermit

Gage, Ruth  
 Gorman, Mary  
 Hammond, Jill  
 Knowles, Mary Ann  
 Levesque, Melanie  
 Martel, Andre  
 O'Neil, William  
 Pellegrino, Tony  
 Rokas, Ted  
 Spratt, Stephen  
 Vail, Suzanne  
 Winters, Joel

### MERRIMACK

Alicea, Caroletta  
 Karrick, David Jr  
 Ratzki, Mario  
 Tilton, Joy

Andrews, Christopher  
 Kelly, Sally  
 Rogers, Katherine  
 Turcotte, Alan

Bouchard, Candace  
 Kotowski, Frank  
 Schamberg, Thomas  
 Webb, Leigh

Burns, Scott  
 Patten, Dick  
 Schuett, Dianne

### ROCKINGHAM

Allen, Mary  
 Belanger, Ronald  
 Charron, Gene  
 Devine, James  
 Hayes, Jack  
 Mann, Maureen  
 Nigrello, Robert  
 Sapareto, Frank  
 Thompson, David  
 Weyler, Kenneth

Andrews-Ahearn, E. Elaine  
 Briden, Steven  
 Chirichiello, Brian  
 Elliott, Robert  
 Helmstetter, Barbara  
 McMahon, Charles  
 O'Connor, John  
 Sedensky, John  
 Till, Mary  
 Whittemore, Lisa

Azarian, Gary  
 Burtis, Elizabeth  
 Cushing, Robert Jr  
 Ferrante, Beverly  
 Khan, Aboul  
 Milz, David  
 Pantelakos, Laura  
 St.James, Kevin  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Cahill, Michael  
 DeSimone, Debra  
 Griffin, Mary  
 Kolodziej, Walter  
 Muns, Chris  
 Priestley, Anne  
 Sweeney, Joe  
 Webb, James Sr

### STRAFFORD

Baber, William  
 Gardner, Janice  
 Rollo, Deanna  
 Ward, Kenneth

Berube, Roger  
 Grossman, Kenneth  
 Spainhower, Dale

Bixby, Peter  
 Horrigan, Timothy  
 Stevens, Audrey

Burdwood, Greg  
 Mullen, John Jr  
 Verschueren, James

### SULLIVAN

Cloutier, John  
 Lefebvre, Benjamin  
 Sweeney, Cynthia

Gagnon, Raymond  
 O'Hearne, Andrew

Grenier, James  
 Rollins, Skip

Irwin, Virginia  
 Smith, Steven

and the majority committee report was adopted.

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Gary Richardson moved that the House reconsider its action whereby, on a roll call vote of 199-164, the House adopted the majority committee report of Inexpedient to Legislate on ***SB 152-FN-A-L***, relative to video lottery and table gaming.

Rep. Gary Richardson spoke against.

Rep. Long spoke in favor.

Rep. Wallner requested a roll call; sufficiently seconded.

**YEAS 152 NAYS 212**

### YEAS 152 BELKNAP

DiMartino, Lisa

Fields, Dennis

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

McConkey, Mark  
White, Syndi

Morrow, Harry  
Wright, Donald

**CHESHIRE**

Ames, Richard  
Tatro, Bruce

Berch, Paul  
Young, Harry

Butynski, William

Roberts, Kris

**COOS**

Coulombe, Gary  
Thomas, Yvonne

Moynihan, Wayne

Richardson, Herbert

Theberge, Robert

**GRAFTON**

Bailey, Brad

Gionet, Edmond

Ladd, Rick Jr

Lauer, Linda

**HILLSBOROUGH**

Beaulieu, Jane  
Byron, Frank  
Culbert, Patrick  
Garcia, Michael  
Grady, Brenda  
Hinch, Richard  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Ober, Russell III  
Renzullo, Andrew  
Soucy, Timothy  
Walsh, Robert Jr

Boisvert, Ronald  
Campbell, David  
DiSilvestro, Linda  
Gidge, Kenneth  
Hackel, Paul  
Judy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Palangas, Eric  
Rhodes, Brian  
Spratt, Stephen  
Williams, Carol

Booras, Efstathia  
Carroll, Douglas  
Eaton, Richard  
Goley, Jeffrey  
Haefner, Robert  
Knowles, Mary Ann  
Levesque, Melanie  
Martel, Andre  
O'Neil, William  
Pellegrino, Tony  
Rokas, Ted  
Sullivan, Daniel  
Williams, Kermit

Brown, Pamela  
Cote, David  
Gage, Ruth  
Gorman, Mary  
Harriott-Gathright, Linda  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
Ober, Lynne  
Ramsey, Peter  
Shaw, Barbara  
Takesian, Charlene

**MERRIMACK**

Alicea, Caroletta  
Hirsch, Geoffrey  
Ratzki, Mario  
Shurtleff, Stephen  
Webb, Leigh

Andrews, Christopher  
Kelly, Sally  
Rogers, Katherine  
Tilton, Joy

Bouchard, Candace  
Kotowski, Frank  
Schamberg, Thomas  
Turcotte, Alan

Burns, Scott  
Patten, Dick  
Schuett, Dianne  
Walsh, Thomas IV

**ROCKINGHAM**

Allen, Mary  
Belanger, Ronald  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Griffin, Mary  
Kolodziej, Walter  
O'Connor, John  
Sapareto, Frank  
Thompson, David

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Charron, Gene  
Devine, James  
Hayes, Jack  
McMahon, Charles  
Pantelakos, Laura  
Sedensky, John  
Waterhouse, Kevin

Azarian, Gary  
Burtis, Elizabeth  
Chirichiello, Brian  
Elliott, Robert  
Helmstetter, Barbara  
Milz, David  
Priestley, Anne  
St.James, Kevin  
Webb, James Sr

Baldasaro, Alfred  
Cahill, Michael  
Cushing, Robert Jr  
Ferrante, Beverly  
Khan, Aboul  
Muns, Chris  
Sanders, Elisabeth  
Sweeney, Joe  
Weyler, Kenneth

**STRAFFORD**

Baber, William  
Gardner, Janice  
Spainhower, Dale

Berube, Roger  
Grossman, Kenneth  
Stevens, Audrey

Bixby, Peter  
Horrigan, Timothy  
Verschueren, James

Burdwood, Greg  
Rollo, Deanna  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gagnon, Raymond  
O'Hearne, Andrew

Grenier, James  
Rollins, Skip

Irwin, Virginia  
Smith, Steven

**NAYS 212****BELKNAP**

Arsenault, Beth  
Fink, Charles  
Raymond, Ian  
Worsman, Colette

Burchell, Richard  
Flanders, Donald  
Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Umberger, Karen

Crawford, Karel

**CHESHIRE**

Chase, Cynthia  
Johnson, Jane  
Sad, Tara

Emerson, Susan  
Mann, John  
Shepardson, Marjorie

Hunt, John  
Parkhurst, Henry  
Weber, Lucy

Johnsen, Gladys  
Robertson, Timothy

**COOS**

Hammon, Marcia

Hatch, William

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Friedrich, Carol  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Muholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Bradley, Lester  
Ford, Susan  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Burt, John  
Coffey, James  
Dobson, Jeremy  
Gargas, Carolyn  
Hansen, Peter  
Infantine, William  
Kelley, John  
LeVasseur, Richard  
Notter, Jeanine  
Parison, James  
Rosenwald, Cindy  
Schmidt, Janice  
Straight, Philip  
Villeneuve, Moe  
Woodbury, David

Barry, Richard  
Cebrowski, John  
Connor, Evelyn  
Flanagan, Jack  
Graham, John  
Heden, Ruth  
Jack, Martin  
Kurk, Neal  
Marston, Dick  
O'Brien, William  
Peterson, Lenette  
Rowe, Robert  
Shattuck, Gilman  
Ulery, Jordan  
Warden, Mark

Belanger, James  
Chandley, Shannon  
Daniels, Gary  
Gagne, Larry  
Hammond, Jill  
Hikel, John  
Jasper, Shawn  
Lambert, George  
Meaney, Richard  
O'Flaherty, Tim  
Porter, Marjorie  
Sanborn, Laurie  
Smith, Timothy  
Vail, Suzanne  
Willette, Robert

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gale, Sylvia  
Hansberry, Daniel  
Hopper, Gary  
Katsiantonis, Thomas  
LeBrun, Donald  
Murotake, David  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Souza, Kathleen  
Vaillancourt, Steve  
Winters, Joel

**MERRIMACK**

Bartlett, Christy  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
McGuire, Carol  
Reed, Dennis  
Walz, Mary Beth

Carey, Lorrie  
Frambach, Mary  
Hess, David  
Kidder, David  
McGuire, Dan  
Rice, Chip  
Watrous, Rick

Carson, Clyde  
Frazer, June  
Hoell, J.R.  
Lockwood, Priscilla  
Moffett, Howard  
Richardson, Gary

Davis, Frank  
French, Barbara  
Hunt, Jane  
MacKay, James  
Myler, Mel  
Wallner, Mary Jane

**ROCKINGHAM**

Abrami, Patrick  
Comerford, Timothy

Bick, Patrick  
Copeland, Timothy

Birdsell, Regina  
Duarte, Joe

Borden, David  
Dumaine, Dudley



Emerick, J. Tracy  
Garcia, Bianca  
Harris, Jeffrey  
Introne, Robert  
Major, Norman  
Packard, Sherman  
Schlachman, Donna  
Till, Mary  
Wazlaw, Brian

Emerson-Brown, Rebecca  
Garcia, Marlinda  
Heffron, Frank  
Itse, Daniel  
Mann, Maureen  
Peckham, Michele  
Sherman, Thomas  
Tremblay, Stella  
Whittemore, Lisa

Fesh, Robert  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
Moody, Marcia  
Rice, Frederick  
Sytek, John  
Tucker, Pamela

Flockhart, Eileen  
Grace, Curtis  
Hoelzel, Kathleen  
Lovejoy, Patricia  
Nigrello, Robert  
Scarlottio, Joe  
Tamburello, Daniel  
Ward, Gerald

### STRAFFORD

Beaudoin, Steven  
Grassie, Anne  
Hubbard, Pamela  
Malloy, Dennis  
Pitre, Joseph  
Spang, Judith

Bickford, David  
Gray, James  
Jones, Laura  
Mullen, John Jr  
Rogers, Rose Marie  
Wall, Janet

Burke, Rachel  
Groen, Warren  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter

Ginsburg, Phillip  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie

### SULLIVAN

Gottling, Suzanne  
and the motion failed.

Schmidt, Andrew

Tanner, Linda

### SPECIAL ORDERED

Without objection, the Speaker ordered the continuation of the Calendar dated May 22, 2013 to next week, May 29, 2013.

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, May 29, 2013 at 1:00 p.m.  
Adopted.

### LATE SESSION

#### Third reading and final passage

**HR 10**, honoring the 100th Anniversary of the NH Presidential Primary and the Honorable Stephen A. Bullock.

**SB 18**, conferring degree-granting authority to the American University of Madaba.

**SB 133-FN**, adopting the interstate wildlife violators compact.

**SB 17**, establishing a commission to study palliative care and associated quality of life initiatives.

**SB 87**, relative to the patients' bill of rights.

**SB 138-FN**, relative to support for certain residents of nursing and assisted living facilities.

**SB 185**, establishing a commission on housing policy and regulation.

**SB 160-FN-A**, relative to turnpikes and electronic toll collection.

**SB 13**, relative to hearings in the department of safety.

**SB 21**, making technical corrections to the International Registration Plan.

**SB 22**, exempting small trailers from inspection requirements; allowing qualified dealers to inspect trailers; and deleting a reference to highway enforcement officers.

**SB 85**, relative to commercial motor vehicle operation.

**SB 159**, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations.

**SB 126-FN**, relative to business practices between motor vehicle manufacturers, distributors, and dealers.

**SB 89**, relative to the definition of lead fishing sinkers and jigs and the penalties for prohibited sales of lead fishing sinkers and jigs.

**SB 122-FN**, establishing a commercial shrimp license.

**PERSONAL PRIVILEGE**

Reps. Warden, Hoell, Sapareto and Lambert addressed the House.

**UNANIMOUS CONSENT**

Reps. Graham, Frederick Rice, Pelletier and Spratt addressed the House.

**MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of former Speaker of the House, the Honorable Harold Burns.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Graham be printed in the Permanent Journal. Adopted.

**REMARKS**

**Rep. Graham:** Thank you Madam Speaker. "That from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain, and that government of the people, by the people, for the people, shall not perish from the earth." My colleagues, it has been almost 150 years since Abraham Lincoln, whose portrait fittingly looks out on us in this chamber, uttered those words. They are no less true today than then – we are routinely reminded that our ability to meet in this chamber is only due to the sacrifices of those who are wearing or who have worn the uniform of our nation. While Lincoln was reflecting on Gettysburg, and the thousands who perished there, I am sure that he was also thinking of other fields such as Antietam, Bull Run or Shiloh. For us the list is even longer, running the length and breadth of our nation and around the world: from Boston to Pearl Harbor; from Valley Forge to the frozen Chosin - with stops in places like Belleau Woods, Kasserine Pass, Bastogne, Iwo Jima, Pusan, Ia Drang, Khe San, Kuwait and others too numerous to mention. And more recently we have had to learn a whole new lexicon of place names, many of which sound as if they are pulled from the pages of a Kipling story: Ar Ramadi, Samarra City, Kandahar, and Kanabad. But each of these places that we can name has one thing in common and that is that our own NH citizens were there. And in too many cases they have given that last full measure of devotion in those far away fields and mountains. Over the past decade I have stood here and asked you to join with me in paying our final respects to almost 50 young men from our state that have died in the combat theaters. They have come from all areas of our great state – from Nashua to Berlin, from Dover to Newport. It is up to us the living to recall them and the legacy they have left us that this 'government of the people' shall continue. So, on Memorial Day recall them, and the sacrifices of all our citizen soldiers from the founding of our state to the present moment. And finally I would ask that you remember another man who spent his formative years here in the Granite State. SFC Ryan James Sevard, US Army, formerly of Jefferson NH, who was killed in Kandabad District, Afghanistan last October. Madam Speaker, I request a moment of silent remembrance for SFC Sevard and all of our service men and women who have perished in the defense of our nation.

**MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of SFC James Sevard and all of our service men and women who have perished in the defense of our nation.

**MOTION TO PRINT REMARKS**

Rep. Gary Richardson moved that the remarks made by Rep. Frederick Rice be printed in the Permanent Journal. Adopted.

**REMARKS**

**Rep. Frederick Rice joined by the Derry Delegation:** Thank you, Madam Speaker. I would like to ask the delegation from Derry to come up and join me, please. New Hampshire has lost one of its own. Over the last few days, we got the message from Fort Bragg, North Carolina, that First Lieutenant Paul DeMeo of Derry passed away. He did not die in combat. He died after collapsing after a training run at Fort Bragg. I had the pleasure of meeting Paul DeMeo in my capacity as the head of West Point admissions for the State of New Hampshire, a position I held for about 15 years

and met hundreds of young men and women that applied for the Academy. Paul was one of the very, very best because he made it, for one thing. But, he was also a student at Pinkerton Academy and he was the Commander of the Junior ROTC program there, the Cadet Commander, something that goes to only one cadet at a time there. He went from there to the United States Military Academy at West Point and he graduated in 2011. Since then, less than two years, he's done an awful lot. He went to Ranger School. He went to Jump School. He received the Army commendation medal in his first assignment. He went to his Infantry basic course and all that and he was assigned as a platoon leader in B Battery of the 505<sup>th</sup> Parachute Infantry regiment in the 82<sup>nd</sup> Airborne Division of Fort Bragg. I feel a very strong link to him in that regard as well because I once served in the 82<sup>nd</sup> Airborne and the bond between brothers in that organization is seldom parallel to anywhere. This young man did a great job at West Point. He did such a good job that his twin brothers decided to follow in his footsteps. One of them did it the right way. His brother, Nathen, went to West Point and the other one got a little bit diverted. His brother, Pascal, went to Annapolis. They're twins and what should be the happiest moment in the lives of their parents, Paul and Lucien, will be their graduation this weekend. Paul was going to come up from Fort Bragg and pin the 2<sup>nd</sup> Lieutenant bars on his brother Nathan at his West Point graduation this weekend, but instead it is going to be a very sad time for them. His parents do have the knowledge and the comfort that this was one hell of a young man. He did a great job. He served his country well and with distinction. Not many 2<sup>nd</sup> Lieutenants get an Army Commendation Medal within their first year of service so he must have been doing something awfully, awfully, good. They can rest with that realization that he did do a good job. He represented his country, his state in an outstanding manner. His wake will be held next Tuesday in Derry from 4:00 to 8:00 p.m. His funeral will be held the following day on Wednesday and he will be laid to rest in Boscawen at the Veterans cemetery. I urge you to look up, if you are anywhere near that area, I urge you to look that up and pay your respects to this fine, young man. He is not the first that has died in this manner. A cadet at West Point, back in 2006, collapsed during a training run and I've been assured by the Commander of the American Legion Post 35 in Hampton that is the location of the only monument in the state which has all the names of all the New Hampshire residents who have died in the War on Terror. I've been given his assurance that he's bringing before their committee, their selection committee, an approval committee, the name of Paul DeMeo to be placed on that monument this September 11. There will be a total of 4 names that will go on there. Paul's will be one of them, I'm sure. So I would like to ask all of you to join me in a moment of silence for Paul DeMeo. One final word. The last lines of the West Point's Alma Mater are always recited when a West Point graduate dies. It says, "May it be said, Well done, be thou at Peace." Well done, Paul DeMeo, be thou at peace.

### **MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of First Lieutenant Paul DeMeo of Derry.

### **RECESS MOTION**

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference.

Adopted.

The House recessed at 5:25 p.m.

### **RECESS**

**(Rep. Gary Richardson in the Chair)**

### **ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 232 and Senate Bills numbered 18 and 175.

Rep. Shurtleff, Sen. Prescott for the Committee

### **SENATE MESSAGES**

### **CONCURRENCE**

**HB 185-FN**, relative to the fuel oil discharge cleanup fund.

**HB 187**, relative to cost items in negotiated agreements.

**HB 254-FN-A**, abolishing certain positions in the liquor commission.

**HB 262**, establishing a committee to study the construction of a permanent memorial to Governor John Gilbert Winant on state property other than the state house grounds.

**HB 304-FN**, relative to OHRV registration transfer fees, removing the penalty of completion of a training program for certain OHRV and snowmobile violations, and deleting OHRV and snowmobile vanity plates or decals.

**HB 352**, relative to sending checklists to the state archives.

**HB 400**, relative to funding agreements issued by life insurance companies.

**HB 401**, relative to property and casualty insurers under the risk-based capital law.

**HB 411-FN-A**, repealing a future reduction in vessel registration fees.

**HB 433**, relative to procedures for juvenile delinquency petitions filed by a school district or school official.

**HB 453**, repealing the prospective repeal of the information and analysis center.

**HB 507-FN**, relative to the maximum permit application fee for certain municipal dredging projects.

**HB 511-FN**, relative to insurance holding companies.

**HB 554**, allowing parents to agree on college contributions.

**HB 581-FN-L**, relative to recovering moneys from a neighboring state for mitigation of flooding.

**HB 636**, relative to the waitlist for community mental health services.

**HB 655-FN**, relative to the collection of the amount of the property tax deferral for the elderly or disabled upon sale of the property.

### NONCONCURRENCE

**HB 189**, extending the commission to study water infrastructure sustainability funding.

**HB 259-FN**, relative to special licenses for taking lobster while engaged in recreational scuba diving.

**HB 325-FN**, relative to public employee suggestions for cost-saving measures.

**HB 363**, establishing a committee to study the form of the oath taken by members of the general court.

**HB 364**, relative to notice required concerning employment of a retired member of the New Hampshire retirement system of the limitations on part-time employment.

**HB 390**, allowing companion dogs in the outdoor areas of restaurants.

**HB 399-FN**, establishing the New Hampshire liberty act.

**HB 501-FN**, instituting a state minimum hourly rate.

**HB 508**, relative to idling by diesel locomotives.

**HB 659-FN-A**, increasing the tobacco tax.

### RE-REFERRED TO COMMITTEE

**HB 186**, relative to the authority of the department of state.

**HB 200**, relative to an employer's burden of proof in unemployment compensation hearings.

**HB 234**, relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training.

**HB 489-FN**, relative to the New Hampshire medical malpractice joint underwriting association.

**HB 583**, relative to proceedings of medical injury claims screening panels.

### INDEFINITELY POSTPONED

**HB 617-FN-A-L**, increasing the rate of the road toll, establishing the New Hampshire state and municipal road and bridge account, and establishing the commission to study revenue alternatives to the road toll.

### RECESS

(Rep. Chandley in the Chair)

### ENROLLED BILL AMENDMENTS

**HB 334-FN**, requiring pharmacy interns to register with the pharmacy board.

#### Amendment (1629-EBA)

Amend RSA 318:5-a, XI-a as inserted by section 2 of the bill by replacing line 9 with the following:

XI-b. The establishment of fees for registration of pharmacy interns, including fees for Adopted.

**HB 367**, relative to the municipal bond bank reserve process.

**Amendment (1729-EBA)**

Amend RSA 35-A:29 as inserted by section 2 of the bill by replacing lines 29-36 with the following:

*I. Applied to the payment of the costs of preparing, issuing, and marketing any such issue of bonds or notes;*

*II. Applied to the cost of the project or projects for which such bonds or notes were issued, resulting in a like reduction of the amount of bonds or notes issued to finance such project or projects;*

*III. Deposited in the general fund of the governmental unit and available to be appropriated for any lawful purpose of such governmental unit; or*

*IV. Applied in any combination of the foregoing.*

Adopted.

**HB 556**, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire.

**Amendment (1681-EBA)**

Amend section 3 of the bill by replacing it with the following:

3 Duties. The committee shall study the resolution of barriers, including identifying and attempting to resolve such barriers, to the use of telehealth technology in New Hampshire. The committee's study shall include, but not be limited to:

I. Patients' lack of high speed Internet service necessary for videoconferencing.

II. Cumbersome licensing regulations for health care professionals.

III. Inconsistent reimbursement policies.

IV. Any other matter the committee deems relevant to its study.

Adopted.

**RECESS**

**(Speaker Norelli in the Chair)**

Rep. Kaen moved that the House adjourn.

Adopted.

## HOUSE JOURNAL No. 18

Wednesday, May 29, 2013

The House assembled at 1:00 p.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by the member from Salem, Representative Robert Elliott.

Almighty God, from whom we come and to whom we all shall one day return. We thank Thee for another 24 hours of life. Teach us to use this day wisely and well. Teach us to know that when we disagree with one another, it is only because each one of us is honorable, motivated only by the desire to be of service to our fellow man. Teach us patience as we struggle with difficult issues. Teach us always to respect one another and teach us always to be grateful for all that we have, our homes and loved ones; our loyal friends and constituents; our beautiful majestic state and our glorious, beloved country. Amen.

Representative Andrew Schmidt, member from Grantham, led the Pledge of Allegiance.

The National Anthem was sung by the member from Dover, Representative Peter Schmidt.

### LEAVES OF ABSENCE

Reps. Arsenault, Backus, Ronald Belanger, Boisvert, Cote, Friel, Hayes, Khan, Kopka, McCarthy, McKinney, Miller, Parsons, Amy Perkins and Young, the day, illness.

Reps. Ahlgren, Baldasaro, Rebecca Brown, Burridge, Chandler, Chirichiello, Culbert, Danais, Danielson, Dobson, Marilinda Garcia, Gargas, Greemore, Harriott-Gathright, Jane Hunt, Lefebvre, Leishman, Lerandeau, Ley, Lundgren, Luther, Menear, Oigny, Pastor, Frederick Rice, Marjorie Smith, Soucy, Spainhower, Spratt, Tamburello, Kenneth Ward and Watrous, the day, important business.

Reps. Emerson-Brown and Lawrence Perkins, the day, illness in the family.

### INTRODUCTION OF GUESTS

Kristianna, Leilani and Sarah Fox, and their mother, Amber Fox McNeil, guests of Rep. Flanagan. Willard, John and Marcus McGraw, guests of Rep. Moffett. Students from the Maude H. Trefethen School in New Castle, guests of Reps. Borden and Sherman. Atinuke Cahill, wife of Rep. Cahill.

### SENATE MESSAGES

#### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 155**, relative to the use of open source software by state agencies; including the department of information technology in the uniform electronic transactions act; and repealing the information practices act. (Amendments printed SJ 4-18-13)

Rep. Weber moved that the House concur and spoke in favor.

Adopted.

**HB 506**, relative to certain time periods for adoption and amendment of town codes and ordinances. (Amendment printed SJ 5-23-13)

Rep. Porter moved that the House concur and spoke in favor.

Adopted.

**HB 353**, relative to the regulation of private investigators and security guards. (Amendment printed SJ 5-2-13)

Rep. Weber moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Weber, Carol McGuire, Peter Schmidt and Mary Nelson.

### REGULAR CALENDAR

#### CONTINUED FROM MAY 22, 2013

**SB 96**, relative to vexatious litigants. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. David Woodbury for the Majority of Judiciary: This bill, as amended, expands upon RSA 507:15 by defining a "vexatious litigant" as a person found by a judge as having filed three or more frivolous lawsuits with the purpose of harassment. The court may require a vexatious litigant to either retain an attorney or person of good character or to post a bond to cover all attorney fees and anticipated damages. Furthermore, this bill makes clear that the inherent power of courts to grant other appropriate relief, as they have in the past, is unimpeded. Vote 11-6.

Rep. Gary S. Hopper for the Minority of Judiciary: If this bill passes, a person who is found by the judge to have filed three or more frivolous law suits can be found to be vexatious and required to hire or find an attorney or person of good character to represent him or post cash or a bond before he may engage in further litigation. Although the intent of the bill is noble, in the opinion of the minority it runs afoul of the New Hampshire Constitution. Part I, Article 14 clearly says, "Every subject of this state is entitled to a certain remedy, by having recourse to the laws, for all injuries he may receive in his person, property, or character; to obtain right and justice freely, without being obliged to purchase it;" A person in New Hampshire can be denied his or her constitutional right but that is only after they have been tried and found guilty. The proper way to achieve these ends would be finding someone guilty through the trial process and then have them punished accordingly.

### Majority Amendment (1582h)

Amend the bill by replacing section 1 with the following:

1 New Sections; Frivolous Lawsuits; Vexatious Litigants; Powers of Court. Amend RSA 507 by inserting after section 15 the following new sections:

#### 507:15-a Vexatious Litigants.

I. In this section, "vexatious litigant" means an individual who has been found by a judge to have filed 3 or more frivolous lawsuits which the judge finds, by clear and convincing evidence, were initiated for the primary purpose of harassment.

II. The court may require a vexatious litigant to:

(a) Retain an attorney or other person of good character to represent him or her in all actions;

or

(b) Post a cash or surety bond sufficient to cover all attorney fees and anticipated damages.

507:15-b Powers of Court. RSA 507:15 and RSA 507:15-a shall not be construed to diminish the inherent power of any court to grant appropriate relief not specified in those sections.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Sylvia spoke against.

Rep. Woodbury spoke in favor and yielded to questions.

On a division vote, 198 members having voted in the affirmative and 130 in the negative, the majority committee report was adopted and ordered to third reading.

### **SB 100, authorizing electronic payment of payroll. MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Douglas A. Ley for the Majority of Labor, Industrial and Rehabilitative Services: This bill authorizes employers to limit pay options to either direct deposit or issuance of digital payroll cards. It thereby reduces employee wage payment options, eliminating payment via a paper check. At present, nothing prevents employers from incentivizing payroll choice options and thereby encouraging employees to choose electronic methods over paper checks. Consequently, the majority prefer incentives and choice rather than mandate. Finally, there were repeated concerns expressed before the committee regarding hidden and excessive fees tied to payroll card usage and the vulnerability of less digitally savvy groups to incur such fees imposed by "brand" cards such as Visa or MasterCard. As for small employers, their cost savings would likely be minimized with a change over to payroll cards, as they will not be in as strong a position to negotiate lower costs with the companies issuing payroll cards. Therefore, on grounds of choice, incentive, and costs to employees, the majority support ITL. Vote 13-7.

Rep. Gary L. Daniels for the Minority of Labor, Industrial and Rehabilitative Services: This bill allows employers to pay via electronic payroll cards instead of issuing paper checks for cost saving purposes. In considering the benefits of this proposal, the committee did not dispute that there were only two things that could be done with a paper check - deposit it or cash it. The minority ensured that both of these options were available with a payroll card and recognized that any cost savings to the employer could potentially enhance the benefits to employees.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Daniels spoke against and yielded to questions.

Rep. Timothy Smith spoke in favor.

Rep. Cahill spoke in favor and yielded to questions.

On a division vote, 235 members having voted in the affirmative and 93 in the negative, the majority committee report was adopted.

Rep. Mary Nelson declared a conflict of interest and did not participate.

**SB 143-FN**, relative to benefits for unemployed persons who are attempting to establish a business.

**MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sally H. Kelly for the Majority of Labor, Industrial and Rehabilitative Services: This bill, the "Pathway to Work" promotes and encourages new business development in our state by enabling qualified unemployed workers to commit full time to developing their own small businesses while continuing to receive their earned unemployment benefits. No more than 2.5% of NH workers receiving regular unemployment compensation can qualify for "Pathway to Work" at one time. Those selected will work closely with NH Small Business Administration Development Center to create a viable business plan, receive business counseling, training, etc to help ensure a more successful outcome. After 5 years, 80% of SBDC counseled businesses are still in business; this contrasts with the 44% survival rate of non-assisted businesses. In addition, the "Pathway to Work" program must not result in any cost to the unemployment trust fund in excess of the cost that would be incurred if the state had not participated in the "Pathway to Work" program. There are currently 9 other states with similar job creation programs, to the one this legislation will provide. Vote 11-9.

Rep. Jack B. Flanagan for the Minority of Labor, Industrial and Rehabilitative Services: SB 143 is a bill that affects about 12 unemployed workers a year. It also allows them to continue to collect unemployment benefits even though they can make unlimited money while collecting unemployment. Additionally, a laid off worker could potentially compete with his previous employer with the state's help. SB 143 is redundant, in that all opportunities available in the bill are available to the employee already. SB 143 grows government even though services are already available at no cost.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Sally Kelly spoke in favor and yielded to questions.

Rep. Andrew White requested a roll call; sufficiently seconded.

## YEAS 183 NAYS 149

### YEAS 183

#### BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

#### CARROLL

Buco, Thomas

Butler, Edward

Lavender, Tom

McConkey, Mark

Ticehurst, Susan

Umberger, Karen

### CHESHIRE

Ames, Richard

Berch, Paul

Butynski, William

Chase, Cynthia

Eaton, Daniel

Johnsen, Gladys

Mann, John

Phillips, Larry

Robertson, Timothy

Sad, Tara

Shepardson, Marjorie

Tatro, Bruce

Weber, Lucy

Weed, Charles

### COOS

Coulombe, Gary

Enman, Larry

Hammon, Marcia

Hatch, William

Moynihhan, Wayne

Theberge, Robert

Thomas, Yvonne

### GRAFTON

Aguar, James

Almy, Susan

Benn, Bernard

Cooney, Mary

Ford, Susan

Friedrich, Carol

Harding, Laurie

Higgins, Patricia

Lauer, Linda

Lovett, Sid

Massimilla, Linda

Mulholland, Catherine

Nordgren, Sharon

Piper, Wendy

Smith, Suzanne

Sykes, George

Townsend, Charles

White, Andrew



**HILLSBOROUGH**

Beaulieu, Jane  
 Carroll, Douglas  
 Eaton, Richard  
 Goley, Jeffrey  
 Hammond, Jill  
 Jeudy, Jean  
 Levasseur, Nickolas  
 Manley, Jonathan Sr  
 O'Brien, Michael Sr  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Sullivan, Daniel  
 Williams, Kermit

Booras, Efstathia  
 Chandley, Shannon  
 Gage, Ruth  
 Gorman, Mary  
 Hansberry, Daniel  
 Kelley, John  
 Levesque, Melanie  
 McCloskey, David  
 O'Flaherty, Tim  
 Ramsey, Peter  
 Schmidt, Janice  
 Sullivan, Peter  
 Winters, Joel

Brown, Pamela  
 Connor, Evelyn  
 Gale, Sylvia  
 Grady, Brenda  
 Heden, Ruth  
 Knowles, Mary Ann  
 Long, Patrick  
 McNamara, Richard  
 O'Neil, William  
 Rhodes, Brian  
 Shattuck, Gilman  
 Vail, Suzanne  
 Woodbury, David

Campbell, David  
 DiSilvestro, Linda  
 Gidge, Kenneth  
 Hackel, Paul  
 Jack, Martin  
 Lambert, George  
 MacKay, Mariellen  
 Nelson, Mary  
 Palangas, Eric  
 Rokas, Ted  
 Smith, Timothy  
 Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta  
 Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Kelly, Sally  
 Patten, Dick  
 Schuett, Dianne  
 Wallner, Mary Jane

Andrews, Christopher  
 Carey, Lorrie  
 Frambach, Mary  
 Henle, Paul  
 MacKay, James  
 Rice, Chip  
 Shurtleff, Stephen  
 Walz, Mary Beth

Bartlett, Christy  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Moffett, Howard  
 Richardson, Gary  
 Tilton, Joy  
 Webb, Leigh

Bouchard, Candace  
 Davis, Frank  
 French, Barbara  
 Karrick, David Jr  
 Myler, Mel  
 Rogers, Katherine  
 Turcotte, Alan

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
 Cahill, Michael  
 Grace, Curtis  
 Mann, Maureen  
 Peckham, Michele  
 Till, Mary

Borden, David  
 Cali-Pitts, Jacqueline  
 Heffron, Frank  
 Moody, Marcia  
 Scarlotta, Joe  
 Ward, Gerald

Briden, Steven  
 Cushing, Robert Jr  
 Helmstetter, Barbara  
 Muns, Chris  
 Schlachman, Donna  
 Wazlaw, Brian

Burtis, Elizabeth  
 Flockhart, Eileen  
 Lovejoy, Patricia  
 Pantelakos, Laura  
 Sherman, Thomas  
 Whittemore, Lisa

**STRAFFORD**

Baber, William  
 Gardner, Janice  
 Hooper, Dorothea  
 Ketel, Stephen  
 Rogers, Rose Marie  
 Stevens, Audrey

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rollo, Deanna  
 Wall, Janet

Burdwood, Greg  
 Grassie, Anne  
 Hubbard, Pamela  
 Pelletier, Marsha  
 Schmidt, Peter

Burke, Rachel  
 Grossman, Kenneth  
 Kaen, Naida  
 Perry, Robert  
 Spang, Judith

**SULLIVAN**

Cloutier, John  
 Schmidt, Andrew

Gagnon, Raymond  
 Tanner, Linda

Gottling, Suzanne

O'Hearne, Andrew

**NAYS 149****BELKNAP**

Burchell, Richard  
 Fink, Charles  
 Tilton, Franklin

Comtois, Guy  
 Flanders, Donald  
 Vadney, Herbert

Cormier, Jane  
 Holmes, Stephen  
 Worsman, Colette

Fields, Dennis  
 Sylvia, Michael

**CARROLL**

Cordelli, Glenn  
 Schmidt, Stephen

Crawford, Karel  
 White, Syndi

Morrow, Harry  
 Wright, Donald

Nelson, Bill

**CHESHIRE**

Emerson, Susan  
 Roberts, Kris

Hunt, John

Johnson, Jane

Parkhurst, Henry

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Doolan, Ralph Jr	Gionet, Edmond
Ladd, Rick Jr	Reilly, Harold Sr	Shackett, Jeffrey	

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Daniels, Gary	Flanagan, Jack	Gagne, Larry	Graham, John
Haefner, Robert	Hansen, Peter	Hinch, Richard	Hopper, Gary
Jasper, Shawn	Katsiantonis, Thomas	Kurk, Neal	LeBrun, Donald
LeVasseur, Richard	Marston, Dick	Martel, Andre	Meaney, Richard
Murotake, David	Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Parison, James	Pellegrino, Tony	Pratt, Calvin	Renzullo, Andrew
Rowe, Robert	Sanborn, Laurie	Sandblade, Emily	Shaw, Barbara
Souza, Kathleen	Straight, Philip	Stroud, Kathleen	Sweeney, Shawn
Takesian, Charlene	Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe
Warden, Mark	Willette, Robert		

**MERRIMACK**

Hess, David	Kidder, David	Kotowski, Frank	Lockwood, Priscilla
McGuire, Carol	McGuire, Dan	Schamberg, Thomas	Smith, Todd
Walsh, Thomas IV			

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Bick, Patrick	Birdsell, Regina
Bishop, Franklin	Charron, Gene	Comerford, Timothy	Copeland, Timothy
DeSimone, Debra	Devine, James	Duarte, Joe	Dumaine, Dudley
Elliott, Robert	Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert
Garcia, Bianca	Gordon, Richard	Griffin, Mary	Harris, Jeffrey
Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert	Itse, Daniel
Kappler, Lawrence	Kolodziej, Walter	Major, Norman	McMahon, Charles
Milz, David	Nigrello, Robert	O'Connor, John	Packard, Sherman
Priestley, Anne	Sanders, Elisabeth	Sapareto, Frank	Schroadter, Adam
Sedensky, John	St.James, Kevin	Sweeney, Joe	Sytek, John
Thompson, David	Tucker, Pamela	Waterhouse, Kevin	Webb, James Sr
Weyler, Kenneth			

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Gray, James	Groen, Warren
Jones, Laura	Mullen, John Jr	Pitre, Joseph	Verschueren, James

**SULLIVAN**

Grenier, James	Rollins, Skip	Smith, Steven	Sweeney, Cynthia
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and the majority committee report was adopted and ordered to third reading.

**SB 153-FN**, relative to legislative approval of collective bargaining agreements entered into by the state. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.** Rep. Charles F. Weed for the Majority of Labor, Industrial and Rehabilitative Services: The majority of the committee believes that the general court currently has general oversight in monitoring cost items negotiated between the state and public employees through the budget process. Additionally, this bill has the potential of politicizing the bargaining process and of enabling micro-management of carefully negotiated contract items that had been deliberated by experienced negotiators over a period of many months. In addition, the language of SB 153 gives authority to the Fiscal Committee to approve "cost items" of every contract negotiated by public employees and the state. This could

nullify parts of previous contracts negotiated in good faith in historical bienniums. Finally, neither the sponsor nor any other testimony heard claimed there was a problem that needed fixing. Vote 11-9. Rep. J. Tracy Emerick for the Minority of Labor, Industrial and Rehabilitative Services: Currently there is no check and balance at the state level for legislative approval of collective bargaining agreement. All other levels of government (county, city, town, and schools) require legislative approval. The state should use the same approach to maintain the integrity of the process.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Emerick spoke against.

Rep. Vaillancourt spoke against and yielded to questions.

Rep. DiSilvestro spoke in favor and requested a roll call; sufficiently seconded.

## YEAS 191 NAYS 135

### YEAS 191

#### BELKNAP

DiMartino, Lisa	Gulick, Ruth	Huot, David	Raymond, Ian
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#### CARROLL

Buco, Thomas	Butler, Edward	Lavender, Tom	Schmidt, Stephen
Ticehurst, Susan	White, Syndi		

#### CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Johnsen, Gladys	Mann, John	Parkhurst, Henry
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	Weed, Charles

#### COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Theberge, Robert	Thomas, Yvonne	

#### GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Higgins, Patricia
Ladd, Rick Jr	Lauer, Linda	Lovett, Sid	Massimilla, Linda
Mulholland, Catherine	Smith, Suzanne	Sykes, George	White, Andrew

#### HILLSBOROUGH

Beaulieu, Jane	Booras, Efsthathia	Brown, Pamela	Campbell, David
Carroll, Douglas	Chandley, Shannon	Christiansen, Lars	Connor, Evelyn
DiSilvestro, Linda	Eaton, Richard	Gage, Ruth	Gale, Sylvia
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Grady, Brenda
Hackel, Paul	Hammond, Jill	Hansberry, Daniel	Heden, Ruth
Jack, Martin	Judy, Jean	Katsiantonis, Thomas	Kelley, John
Knowles, Mary Ann	Levasseur, Nickolas	Levesque, Melanie	Long, Patrick
MacKay, Mariellen	Manley, Jonathan Sr	Martel, Andre	McCloskey, David
McNamara, Richard	Nelson, Mary	O'Brien, Michael Sr	O'Neil, William
Palangas, Eric	Porter, Marjorie	Ramsey, Peter	Rhodes, Brian
Rokas, Ted	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Stroud, Kathleen	Sullivan, Daniel
Sullivan, Peter	Sweeney, Shawn	Vail, Suzanne	Walsh, Robert Jr
Williams, Kermit	Woodbury, David		

#### MERRIMACK

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Frambach, Mary	Frazer, June	French, Barbara	Gile, Mary

Henle, Paul  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Hirsch, Geoffrey  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Karrick, David Jr  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Kelly, Sally  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Cushing, Robert Jr  
Lovejoy, Patricia  
Muns, Chris  
Sherman, Thomas  
Wazlaw, Brian

Bishop, Franklin  
Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Pantelakos, Laura  
Thompson, David  
Webb, James Sr

Borden, David  
Cali-Pitts, Jacqueline  
Heffron, Frank  
Milz, David  
Scarlotto, Joe  
Till, Mary  
Whittemore, Lisa

Briden, Steven  
Copeland, Timothy  
Helmstetter, Barbara  
Moody, Marcia  
Schlachman, Donna  
Ward, Gerald

### STRAFFORD

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Rogers, Rose Marie  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rollo, Deanna  
Verschueren, James

Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Spang, Judith

### SULLIVAN

Cloutier, John  
Schmidt, Andrew

Gagnon, Raymond  
Sweeney, Cynthia

Gottling, Suzanne  
Tanner, Linda

O'Hearne, Andrew

### NAYS 135

### BELKNAP

Burchell, Richard  
Fink, Charles  
Tilton, Franklin

Comtois, Guy  
Flanders, Donald  
Vadney, Herbert

Cornier, Jane  
Holmes, Stephen  
Worsman, Colette

Fields, Dennis  
Sylvia, Michael

### CARROLL

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Umberger, Karen

McConkey, Mark  
Wright, Donald

Morrow, Harry

### CHESHIRE

Emerson, Susan

Hunt, John

Johnson, Jane

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bailey, Brad  
Piper, Wendy

Bradley, Lester  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Flanagan, Jack  
Hansen, Peter  
LeBrun, Donald  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Renzullo, Andrew

Belanger, James  
Cebrowski, John  
Gagne, Larry  
Hinch, Richard  
LeVasseur, Richard  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Rowe, Robert

Boehm, Ralph  
Coffey, James  
Graham, John  
Jasper, Shawn  
Marston, Dick  
Murphy, Kelleigh  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie

Burt, John  
Daniels, Gary  
Haefner, Robert  
Kurk, Neal  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily

Straight, Philip  
Villeneuve, Moe

Takesian, Charlene  
Warden, Mark

Ulery, Jordan  
Willette, Robert

Vaillancourt, Steve  
Winters, Joel

### MERRIMACK

Ebel, Karen  
Lockwood, Priscilla

Hess, David  
McGuire, Carol

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Walsh, Thomas IV

### ROCKINGHAM

Abrami, Patrick  
Charron, Gene  
Duarte, Joe  
Ferrante, Beverly  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
Nigrello, Robert  
Priestley, Anne  
St.James, Kevin  
Waterhouse, Kevin

Allen, Mary  
Comerford, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Kolodziej, Walter  
O'Connor, John  
Sanders, Elisabeth  
Sweeney, Joe  
Weyler, Kenneth

Bick, Patrick  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Introne, Robert  
Major, Norman  
Packard, Sherman  
Schroadter, Adam  
Sytek, John

Birdsell, Regina  
Devine, James  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
McMahon, Charles  
Peckham, Michele  
Sedensky, John  
Tucker, Pamela

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Pitre, Joseph

Groen, Warren

### SULLIVAN

Grenier, James

Rollins, Skip

Smith, Steven

and the majority committee report was adopted.

### SPECIAL ORDER

**SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts. **OUGHT TO PASS.**

Rep. Kris E. Roberts for Municipal and County Government: The General Court has recognized that New Hampshire's water supply is a limited and precious public resource. To ensure that our water supplies are to be protected, conserved, and managed in the interest of present and future generations, the state has enabled municipalities to protect water supplies and provide sewer utility services in compliance with federal, state, and local requirements by entering into agreements that provide for efficient means of collectively financing and operating such services. There are nearly a dozen different New Hampshire statutes that address mechanisms to expand water and sewer systems and service, assessing for those services, providing a clear and unified method of appealing those assessments, development of separate funds or combined utility funds that are non-lapsing or what type of governing body, to name a number of important issues. However, many of the existing statutes have their origins in the 1800's and have been amended to address the clean water act. As a result of federal budget deficits, federal funding has been greatly reduced for water and sewer projects but not the legal and public health and safety requirements. Municipalities such as Stratham need to make upgrades, others need to replace their water and sewer systems, some over a hundred years in age, with limited federal and state funding thus requiring them to fund the majority of the cost through local users. Tinkering with the patchwork of existing statutes (RSA 31:120, 35:7, 38, 38-C, 53, & 149-1) will only serve to frustrate the communities abilities to be pro-active. SB 11 is enabling legislation allowing municipalities, particularly municipalities that have no legacy of providing these services, to choose a more concise and unified statutory framework that meets their need as a community rather than forcing towns and cities to adapt their needs to conform to an outdated statutory framework. SB 11 will enable municipalities to establish water and/or sewer utility districts to provide services at a more intensive level than is provided in the balance of the municipality. By doing so, it will provide funds for capital expenditures towards constructing, operating, and maintaining those utilities; and authorizes the establishment a system of fair charges to owners and users of property within such water and/or sewer utility districts. The bill also fosters regional approaches to providing these utility services in multiple municipalities should they mutually agree to do so by enabling municipalities to enter into inter-municipal agreements detailing the regional effort." Vote 18-0.

**MOTION TO SPECIAL ORDER**

Rep. Tucker moved that **SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts, be special ordered to the end of today's Regular Calendar.

Rep. Tucker spoke in favor.

On a division vote, 275 members having voted in the affirmative and 45 in the negative, the motion was adopted.

**REGULAR CALENDAR (CONT'D)**

**SB 31**, relative to a ban on the incidental combustion of untreated wood at municipal transfer stations. **OUGHT TO PASS.**

Rep. Marjorie J. Shepardson for Science, Technology and Energy: Since 2007, towns have implemented alternative management methods (other than burning) for most of their construction and demolition debris, but they were allowed to temporarily continue burning incidental amounts of untreated wood. This bill would allow municipal solid waste transfer stations to continue to burn small amounts of untreated wood since it does not appear to be an impediment to alternative C & D management methods. Vote 18-1.

Committee report adopted and ordered to third reading.

**SB 179**, clarifying the definition of "renewable generation facility" for purposes of payments in lieu of property tax payments. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Aboul B. Khan for the Majority of Science, Technology and Energy: This bill amends RSA 72:73 to include a definition of what qualifies as a primary energy source for "renewable generation facilities" for the purpose of entering into a payment in lieu of taxes agreement between the owner of a renewable generation facility and the governing body of a municipality. The majority agreed on an amendment that creates a new definition to be written into session law that differentiates "waste to energy facilities" (that combust municipal waste, including plastics) from "renewable generation facilities." The amendment would allow the two currently operating waste to energy facilities in New Hampshire to continue participating in payment in lieu of taxes agreements. Members of the committee felt that incineration of trash for electric power generation could not reasonably be defined as "renewable" since it creates a disincentive for the recycling of many energy dense plastics, which are derived from non-renewable petroleum. Vote 14-4.

Rep. Jacqueline A. Cali-Pitts for the Minority of Science, Technology and Energy: The minority of the committee felt that the close ties to renewable energy was inappropriate. The committee was not in favor of trash to energy being considered renewable and the reference to RSA 72:74 is too close. This particular provision was written for two plants and will be difficult to find as it will not appear in RSAs.

**Majority Amendment (1698h)**

Amend the title of the bill by replacing it with the following:

AN ACT clarifying the definition of "renewable generation facility" for purposes of payments in lieu of property tax payments and allowing certain facilities that combust municipal waste for energy to make payments in lieu of property tax payments.

Amend the bill by replacing all after the enacting clause with the following:

1 Definition of Renewable Generation Facility. Amend RSA 72:73 to read as follows:

72:73 Definition of Renewable Generation Facility. In this subdivision, "renewable generation facility" means a facility which produces electric energy for resale solely by the use, as a primary energy source, of ~~[renewable energy as defined in RSA 374-F:3, V(f)(3)]~~ **geothermal energy, tidal or wave energy, wind energy, solar thermal energy, photovoltaic energy, landfill gas energy, hydro energy, biomass energy, energy generated from bio-oil, bio synthetic gas, and biodiesel as defined in RSA 362-A:1-a, I, I-a, and I-b**, including the land, all rights, easements, and other interests thereto, and all dams, buildings, structures, and other improvements situated thereon which are necessary or incidental to the production of power at the facility.

2 Facilities That Combust Municipal Waste for Energy; Payments in Lieu of Property Taxes. A facility that combusts municipal waste for energy, constructed prior to July 16, 2009, where mercury emissions are reduced to an emission rate of 0.028 milligrams per dry standard cubic meter or less corrected to 7 percent oxygen by volume on a dry basis, or at least 85 percent control efficiency, may make payments in lieu of taxes in accordance with RSA 72:74.

3 Effective Date. This act shall take effect 60 days after its passage.

### AMENDED ANALYSIS

This bill clarifies the definition of “renewable generation facility” for purposes of payments in lieu of property tax payments and allows certain facilities that combust municipal waste for energy to make payments in lieu of property tax payments.  
Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. On a division vote, 256 members having voted in the affirmative and 63 in the negative, the majority committee report was adopted and ordered to third reading.

**SB 20**, making modifications to the DWI ignition interlock program. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Gladys Johnsen for the Majority of Transportation: This bill was a request from the department of safety to make various modifications to the existing DWI ignition interlock program. The bill amends RSA 265-A:37 with the following: Upon satisfactory proof that a person who is restricted by law to drive only a motor vehicle equipped with an ignition interlock device while having an alcohol concentration of greater than .02, the department, after a hearing, may impose for each occurrence an additional period of up to one year following the expiration of the original interlock order during which the person shall be restricted to driving only a vehicle with an ignition interlock device. In addition, the bill amends RSA 265-A:37 to add to the crime of ignition interlock circumvention to knowingly assisting a person to circumvent an interlock. Moreover, it will be an offense to violate an administrative interlock order or the person subject to an interlock drives a vehicle with an interlock device that has been tampered with. This bill also removes periodic reports from being provided to the probation office or arresting agency and requires this be sent to the director of the division of motor vehicles, interlock coordinator, and the court of jurisdiction. Finally, the amendment to RSA 265-A:40 will allow an out of state resident convicted of DWI to complete the required treatment in their home state. Such counseling must comply with certain requirements and be monitored by a NH impaired driver care management program. The purpose of an interlock program is to provide an alternative to a longer jail sentence, keeps offenders licensed and insured, allow offenders to work, support families, and remain productive members of society, plus encourages participation in treatment and separates drinking from driving, and thereby, enhances public safety. Vote 15-1.

Rep. Tim O’Flaherty for the Minority of Transportation: Although this bill addresses an error in current law regarding the ignition interlock device, the committee in its haste neglected several issues. This bill authorizes the department of safety to have a camera installed in private vehicles in order to monitor compliance with the law. Passengers as well as drivers can be photographed and tracked via GPS, perhaps without the knowledge of the passengers. Photographs and location data will be stored for an excessively long 36 months on the servers of a private company and by the DOS. Access to this information is not restricted in the bill and could extend to anyone in the employ of the interlock contractor or DOS. The state could face liability issues should this sensitive information be made public, or, perhaps used for malicious purposes. More troubling is the amount of discretion given the DOS to call for hearings in which it acts as judge and prosecutor. In current practice the department of safety reports violations to the police or court officials who will decide whether or not to prosecute the matter, as it should be. This bill, requested by the DOS, reaches too far for power that could be abused. Should the participant in the interlock program feel the DOS verdict is unjust, his or her only recourse is to appeal to the state Supreme Court. Proponents of this bill from the DOS ask us to trust their discretion and impartiality while also revealing a bias, saying that this bill will only affect “bad” people. The department admits that due to lax enforcement the common practice among interlock participants is to test the device by repeatedly trying to start the vehicle while over the legal blood alcohol level. The fault here is with the DOS which has had little enforcement oversight and only recently hired an interlock coordinator. New legislation empowering the DOS to hold hearings is not required to resolve this problem. Better enforcement of current law which respects the divisions between the judicial and executive branches is needed.

#### Majority Amendment (1508h)

Amend RSA 265-A:37 as inserted by section 4 of the bill by inserting after paragraph III the following new paragraph:

***III-a. Upon satisfactory proof that a person who is restricted by law to drive only a motor vehicle equipped with an ignition interlock device has attempted to start a motor vehicle equipped***

*with an ignition interlock device while having an alcohol concentration of greater than .02, the department, after a hearing, may impose for each occurrence an additional period of up to one year following the expiration of the original interlock order during which the person shall be restricted to driving only a vehicle equipped with an ignition interlock device.*

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 New Paragraph; Impaired Driver Care Management Programs; Out-of-State Residents. Amend RSA 265-A:40 by inserting after paragraph VIII the following new paragraph:

IX. Notwithstanding other provisions in RSA 265-A, out-of-state residents may elect to obtain required screening, evaluation, treatment, and education services in their legal state of residence provided that they register with a New Hampshire IDCMP and that the New Hampshire IDCMP:

(a) Ensures that screening, evaluation, and treatment services are provided by individuals possessing an International Certification & Reciprocity Consortium/Alcohol and Other Drug Abuse (IC&RC) sanctioned license, or, if the client resides in a non-IC&RC state, by individuals who are approved by that state for the purpose of license reinstatement subsequent to an alcohol or drug DWI conviction;

(b) Ensures that impaired driver education programs are provided by programs which are approved by that state for the purpose of license reinstatement subsequent to an alcohol or drug DWI conviction;

(c) Develops the service plan;

(d) Monitors compliance with the service plan and reports noncompliance to the division of motor vehicles and the sentencing court; and

(e) Determines whether the service plan has been completed and, if so, reports completion to the sentencing court, the division of motor vehicles, and the department of health and human services.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. LeBrun requested a roll call; sufficiently seconded.

## YEAS 252 NAYS 76

### YEAS 252

#### BELKNAP

DiMartino, Lisa  
Gulick, Ruth  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen

Fink, Charles  
Huot, David

Flanders, Donald  
Raymond, Ian

#### CARROLL

Buco, Thomas  
McConkey, Mark  
Ticehurst, Susan

Butler, Edward  
Morrow, Harry  
Umberger, Karen

Crawford, Karel  
Nelson, Bill  
White, Syndi

Lavender, Tom  
Schmidt, Stephen  
Wright, Donald

#### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

Chase, Cynthia  
Johnson, Jane  
Roberts, Kris  
Tatro, Bruce

#### COOS

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

#### GRAFTON

Aguiar, James  
Bradley, Lester

Amy, Susan  
Cooney, Mary

Bailey, Brad  
Ford, Susan

Benn, Bernard  
Friedrich, Carol



Gionet, Edmond  
Massimilla, Linda  
Reilly, Harold Sr  
Townsend, Charles

Harding, Laurie  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Higgins, Patricia  
Nordgren, Sharon  
Smith, Suzanne

Lauer, Linda  
Piper, Wendy  
Sykes, George

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Coffey, James  
Flanagan, Jack  
Gidge, Kenneth  
Graham, John  
Hansberry, Daniel  
Jack, Martin  
Knowles, Mary Ann  
MacKay, Mariellen  
O'Brien, Michael Sr  
Porter, Marjorie  
Rowe, Robert  
Straight, Philip  
Takesian, Charlene  
Williams, Kermit

Beaulieu, Jane  
Campbell, David  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Hackel, Paul  
Hansen, Peter  
Jasper, Shawn  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Neil, William  
Rhodes, Brian  
Schmidt, Janice  
Stroud, Kathleen  
Vail, Suzanne  
Woodbury, David

Booras, Efstathia  
Carroll, Douglas  
DiSilvestro, Linda  
Gagne, Larry  
Gorman, Mary  
Haefner, Robert  
Heden, Ruth  
Jeudy, Jean  
LeVasseur, Richard  
Martel, Andre  
Palangas, Eric  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

Brown, Pamela  
Chandley, Shannon  
Eaton, Richard  
Gale, Sylvia  
Grady, Brenda  
Hammond, Jill  
Hinch, Richard  
Katsiantonis, Thomas  
Long, Patrick  
McNamara, Richard  
Pellegrino, Tony  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Willette, Robert

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Rice, Chip  
Shurtleff, Stephen  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Richardson, Gary  
Smith, Todd  
Walsh, Thomas IV

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

### ROCKINGHAM

Abrami, Patrick  
Bishop, Franklin  
Cahill, Michael  
Cushing, Robert Jr  
Emerick, J. Tracy  
Grace, Curtis  
Lovejoy, Patricia  
Moody, Marcia  
Packard, Sherman  
Schlachman, Donna  
Sweeney, Joe  
Ward, Gerald  
Weyler, Kenneth

Allen, Mary  
Borden, David  
Cali-Pitts, Jacqueline  
Devine, James  
Ferrante, Beverly  
Griffin, Mary  
Major, Norman  
Muns, Chris  
Pantelakos, Laura  
Sedensky, John  
Sytek, John  
Waterhouse, Kevin  
Whittemore, Lisa

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Charron, Gene  
Dumaine, Dudley  
Fesh, Robert  
Heffron, Frank  
Mann, Maureen  
Nigrello, Robert  
Peckham, Michele  
Sherman, Thomas  
Thompson, David  
Wazlaw, Brian

Birdsell, Regina  
Burtis, Elizabeth  
Copeland, Timothy  
Elliott, Robert  
Flockhart, Eileen  
Helmstetter, Barbara  
McMahon, Charles  
O'Connor, John  
Priestley, Anne  
St.James, Kevin  
Till, Mary  
Webb, James Sr

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Hubbard, Pamela  
Mullen, John Jr  
Rollo, Deanna  
Verschueren, James

Bickford, David  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Spang, Judith

Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
O'Hearne, Andrew  
Sweeney, Cynthia

Gagnon, Raymond  
Rollins, Skip  
Tanner, Linda

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

**NAYS 76****BELKNAP**

Burchell, Richard  
Vadney, Herbert

Comtois, Guy  
Worsman, Colette

Cormier, Jane

Sylvia, Michael

**CARROLL**

Cordelli, Glenn

**CHESHIRE**

Hunt, John

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Doolan, Ralph Jr

Ladd, Rick Jr

**HILLSBOROUGH**

Belanger, James  
Christiansen, Lars  
Kelley, John  
Marston, Dick  
Murphy, Keith  
O'Brien, William  
Palmer, Stephen  
Sanborn, Laurie  
Vaillancourt, Steve

Boehm, Ralph  
Daniels, Gary  
Kurk, Neal  
McCloskey, David  
Murphy, Kelleigh  
O'Flaherty, Tim  
Parison, James  
Sandblade, Emily  
Villeneuve, Moe

Burt, John  
Danielson, David  
Lambert, George  
Meaney, Richard  
Nelson, Mary  
Ober, Lynne  
Pratt, Calvin  
Sweeney, Shawn  
Warden, Mark

Cebrowski, John  
Hopper, Gary  
LeBrun, Donald  
Murotake, David  
Notter, Jeanine  
Ober, Russell III  
Renzullo, Andrew  
Ulery, Jordan  
Winters, Joel

**MERRIMACK**

Kidder, David

McGuire, Carol

McGuire, Dan

Schamberg, Thomas

**ROCKINGHAM**

Bick, Patrick  
Garcia, Bianca  
Hodgdon, Bruce  
Kappler, Lawrence  
Sapareto, Frank

Comerford, Timothy  
Gordon, Richard  
Hoelzel, Kathleen  
Kolodziej, Walter  
Scarlottto, Joe

DeSimone, Debra  
Hagan, Joseph  
Introne, Robert  
Milz, David  
Schroadter, Adam

Duarte, Joe  
Harris, Jeffrey  
Itse, Daniel  
Sanders, Elisabeth  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven

Groen, Warren

Jones, Laura

Pitre, Joseph

**SULLIVAN**

None

and the majority committee report was adopted and ordered to third reading.

**SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate. **OUGHT TO PASS.** Rep. Candace C. W. Bouchard for Transportation: The majority of the committee voted to honor and respect the request from the Region 1 Commander and Adjutant of the Military Order of the Purple Heart (MOPH). Region 1 is the order that represents New Hampshire. Also, the voting member representing MOPH on the State Veterans' Advisory Council voted in favor of passing this bill. Passing this bill will not set a unique precedent. Currently the spouses of Prisoners of War and Pearl Harbor survivors are allowed, upon death of their spouse for as long as he/she lives, unless he/she remarries, to keep the veteran's license plate. Passing this bill would allow the surviving

spouse of a Purple Heart Veteran the same respect. The surviving spouse would still have to pay all required registration fees. New Hampshire is the only New England state that does not allow the surviving spouse to retain the Purple Heart license plate. Nationwide there are more than 30 states that allow the surviving spouse to keep the plate. Passing this bill is an honorable show of support to our state's combat wounded. Vote 13-4.

### **MOTION TO SPECIAL ORDER**

Rep. Bouchard moved that **SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate, be Special Ordered to the next Session as the first order of business on the Regular Calendar. Adopted.

### **REGULAR CALENDAR (CONT'D)**

**SB 67**, establishing a committee to examine the issue of statutory authority for all terrain vehicles, off highway recreational vehicles, and low speed utility vehicles to access public highways for food, fuel, and lodging. **OUGHT TO PASS.**

Rep. William J. O'Neil for Transportation: This bill would create a committee to address several existing statutes that have caused confusion for several agencies with the registration of low speed utility vehicles and OHRVs. This bill is supported by the department of safety (DOS) and the department of resources and economic development (DRED). Vote 12-4.  
Committee report adopted and ordered to third reading.

**SB 165**, repealing a prohibition relative to auxiliary state troopers. **OUGHT TO PASS.**

Rep. Karel A. Crawford for Transportation: This bill repeals a prohibition relative to auxiliary state troopers. The state police auxiliary force is an important branch of the department of safety. The repeal would allow the retired law enforcement community to assist in certain fields of expertise, i.e. state house security, cold case files; and would do so in such a manner as the director may deem appropriate. The auxiliary state troopers force would be limited to 16 persons. The part time auxiliary trooper would be limited to 1300 hours per year. Vote 13-3.  
Committee report adopted and ordered to third reading.

### **SPECIAL ORDER**

**SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts. **OUGHT TO PASS.**

Rep. Kris E. Roberts for Municipal and County Government: The General Court has recognized that New Hampshire's water supply is a limited and precious public resource. To ensure that our water supplies are to be protected, conserved, and managed in the interest of present and future generations, the state has enabled municipalities to protect water supplies and provide sewer utility services in compliance with federal, state, and local requirements by entering into agreements that provide for efficient means of collectively financing and operating such services. There are nearly a dozen different New Hampshire statutes that address mechanisms to expand water and sewer systems and service, assessing for those services, providing a clear and unified method of appealing those assessments, development of separate funds or combined utility funds that are non-lapsing or what type of governing body, to name a number of important issues. However, many of the existing statutes have their origins in the 1800's and have been amended to address the clean water act. As a result of federal budget deficits, federal funding has been greatly reduced for water and sewer projects but not the legal and public health and safety requirements. Municipalities such as Stratham need to make upgrades, others need to replace their water and sewer systems, some over a hundred years in age, with limited federal and state funding thus requiring them to fund the majority of the cost through local users. Tinkering with the patchwork of existing statutes (RSA 31:120, 35:7, 38, 38-C, 53, & 149-1) will only serve to frustrate the communities abilities to be proactive. SB 11 is enabling legislation allowing municipalities, particularly municipalities that have no legacy of providing these services, to choose a more concise and unified statutory framework that meets their need as a community rather than forcing towns and cities to adapt their needs to conform to an outdated statutory framework. SB 11 will enable municipalities to establish water and/or sewer utility districts to provide services at a more intensive level than is provided in the balance of the municipality. By doing so, it will provide funds for capital expenditures towards constructing, operating, and maintaining those utilities; and authorizes the establishment a system of fair charges to owners and users of property within such water and/or sewer utility districts. The bill

also fosters regional approaches to providing these utility services in multiple municipalities should they mutually agree to do so by enabling municipalities to enter into inter-municipal agreements detailing the regional effort.” Vote 18-0.

Rep. Kris Roberts offered floor amendment (1728h).

### Floor Amendment (1728h)

Amend RSA 31:134 as inserted by section 1 of the bill by replacing it with the following:

31:134 Statement of Purpose. The establishment of water and/or sewer utility districts will enable municipalities to provide property services at a more intensive level than is provided in the balance of the municipality; provide funds for capital expenditures towards constructing and maintaining those utilities; provide funds for the operation and maintenance of those utilities; and authorize the establishment of charges to owners and users of property within such water and/or sewer utility districts in an amount not to exceed the costs to the municipality of providing such utility services at levels over and above those provided in the balance of the municipality.

Rep. Kris Roberts spoke in favor.

Floor amendment (1728h) adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Lambert spoke against and yielded to questions.

### MOTION TO LAY ON THE TABLE

Rep. LeBrun moved that *SB 11-L*, relative to water and sewer utility districts and water or sewer utility districts, be laid on the table.

Rep. Kris Roberts requested a roll call; sufficiently seconded.

### YEAS 86 NAYS 244

#### YEAS 86

#### BELKNAP

Burchell, Richard  
Holmes, Stephen

Comtois, Guy  
Sylvia, Michael

Cormier, Jane  
Vadney, Herbert

Fink, Charles  
Worsman, Colette

#### CARROLL

Cordelli, Glenn  
Wright, Donald

Morrow, Harry

Nelson, Bill

Schmidt, Stephen

#### CHESHIRE

None

#### COOS

Rappaport, Laurence

Rideout, Leon

#### GRAFTON

Bradley, Lester

Gionet, Edmond

Ladd, Rick Jr

Reilly, Harold Sr

#### HILLSBOROUGH

Boehm, Ralph  
Hansen, Peter  
LeBrun, Donald  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Rowe, Robert  
Sweeney, Shawn  
Willette, Robert

Burt, John  
Hinch, Richard  
LeVasseur, Richard  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Sanborn, Laurie  
Ulery, Jordan

Flanagan, Jack  
Hopper, Gary  
Marston, Dick  
Murphy, Kelleigh  
Ober, Lynne  
Pratt, Calvin  
Sandblade, Emily  
Villeneuve, Moe

Haefner, Robert  
Lambert, George  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Renzullo, Andrew  
Straight, Philip  
Warden, Mark

#### MERRIMACK

McGuire, Carol

McGuire, Dan

Smith, Todd

**ROCKINGHAM**

Allen, Mary  
Devine, James  
Garcia, Bianca  
Harris, Jeffrey  
Kappler, Lawrence  
Sapareto, Frank  
Waterhouse, Kevin

Bick, Patrick  
Duarte, Joe  
Gordon, Richard  
Hodgdon, Bruce  
Kolodziej, Walter  
Schroadter, Adam  
Webb, James Sr

Comerford, Timothy  
Dumaine, Dudley  
Griffin, Mary  
Introne, Robert  
Priestley, Anne  
Thompson, David

DeSimone, Debra  
Elliott, Robert  
Hagan, Joseph  
Itse, Daniel  
Sanders, Elisabeth  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Pitre, Joseph

Gray, James

Groen, Warren

Jones, Laura

**SULLIVAN**

None

**NAYS 244****BELKNAP**

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

Gulick, Ruth

**CARROLL**

Buco, Thomas  
McConkey, Mark

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

Lavender, Tom  
White, Syndi

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Johnson, Jane  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Hunt, John  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Doolan, Ralph Jr  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Bailey, Brad  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Barry, Richard  
Brown, Pamela  
Cebrowski, John  
Connor, Evelyn  
Eaton, Richard  
Gidge, Kenneth  
Graham, John  
Heden, Ruth  
Katsiantonis, Thomas  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Nelson, Mary

Beaulieu, Jane  
Byron, Frank  
Chandley, Shannon  
Daniels, Gary  
Gage, Ruth  
Goley, Jeffrey  
Hackel, Paul  
Jack, Martin  
Kelley, John  
Levesque, Melanie  
Martel, Andre  
O'Brien, Michael Sr

Belanger, James  
Campbell, David  
Christiansen, Lars  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Hammond, Jill  
Jasper, Shawn  
Knowles, Mary Ann  
Long, Patrick  
McCloskey, David  
O'Neil, William

Booras, Efstathia  
Carroll, Douglas  
Coffey, James  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Jeudy, Jean  
Kurk, Neal  
MacKay, Mariellen  
McNamara, Richard  
Palangas, Eric

Pellegrino, Tony  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne  
Winters, Joel

Porter, Marjorie  
Schmidt, Janice  
Stroud, Kathleen  
Vaillancourt, Steve  
Woodbury, David

Rhodes, Brian  
Shattuck, Gilman  
Sullivan, Peter  
Walsh, Robert Jr

Rokas, Ted  
Shaw, Barbara  
Takesian, Charlene  
Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Lockwood, Priscilla  
Patten, Dick  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Walsh, Thomas IV

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

### ROCKINGHAM

Abrami, Patrick  
Borden, David  
Cali-Pitts, Jacqueline  
Emerick, J. Tracy  
Grace, Curtis  
Lovejoy, Patricia  
Milz, David  
O'Connor, John  
Scarlotto, Joe  
St.James, Kevin  
Ward, Gerald

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Charron, Gene  
Ferrante, Beverly  
Heffron, Frank  
Major, Norman  
Moody, Marcia  
Packard, Sherman  
Schlachman, Donna  
Sweeney, Joe  
Wazlaw, Brian

Birdsell, Regina  
Burtis, Elizabeth  
Copeland, Timothy  
Fesh, Robert  
Helmstetter, Barbara  
Mann, Maureen  
Muns, Chris  
Pantelakos, Laura  
Sedensky, John  
Sytek, John  
Weyler, Kenneth

Bishop, Franklin  
Cahill, Michael  
Cushing, Robert Jr  
Flockhart, Eileen  
Hoelzel, Kathleen  
McMahon, Charles  
Nigrello, Robert  
Peckham, Michele  
Sherman, Thomas  
Till, Mary  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

Bickford, David  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

Burdwood, Greg  
Grassie, Anne  
Hubbard, Pamela  
Mullen, John Jr  
Rollo, Deanna  
Verschueren, James

### SULLIVAN

Cloutier, John  
O'Heame, Andrew  
Sweeney, Cynthia  
and the motion failed.

Gagnon, Raymond  
Rollins, Skip  
Tanner, Linda

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Cormier spoke against.

Rep. Flanagan moved Recommit and spoke in favor.

Rep. Porter spoke against.

Rep. Abrami spoke in favor.

On a division vote, 98 members having voted in the affirmative and 229 in the negative, the motion failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Abrami spoke in favor and yielded to questions.

Rep. Burt requested a roll call; sufficiently seconded.

**YEAS 254 NAYS 74****YEAS 254****BELKNAP**

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

Gulick, Ruth

**CARROLL**

Buco, Thomas  
McConkey, Mark

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

Lavender, Tom  
White, Syndi

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Johnson, Jane  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Emerson, Susan  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Hunt, John  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Johnsen, Gladys  
Phillips, Larry  
Shepardson, Marjorie

**COOS**

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Doolan, Ralph Jr  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Benn, Bernard  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Bradley, Lester  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Barry, Richard  
Brown, Pamela  
Cebrowski, John  
Connor, Evelyn  
Eaton, Richard  
Goley, Jeffrey  
Hackel, Paul  
Heden, Ruth  
Jeudy, Jean  
Kurk, Neal  
MacKay, Mariellen  
McCloskey, David  
O'Neil, William  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne  
Woodbury, David

Beaulieu, Jane  
Byron, Frank  
Chandlee, Shannon  
Daniels, Gary  
Gage, Ruth  
Gorman, Mary  
Haefner, Robert  
Hinch, Richard  
Katsiantonis, Thomas  
Levasseur, Nickolas  
Manley, Jonathan Sr  
McNamara, Richard  
Palangas, Eric  
Renzullo, Andrew  
Schmidt, Janice  
Stroud, Kathleen  
Walsh, Robert Jr

Belanger, James  
Campbell, David  
Christiansen, Lars  
Danielson, David  
Gagne, Larry  
Grady, Brenda  
Hammond, Jill  
Jack, Martin  
Kelley, John  
Levesque, Melanie  
Marston, Dick  
Nelson, Mary  
Parison, James  
Rhodes, Brian  
Shattuck, Gilman  
Sullivan, Peter  
Williams, Kermit

Booras, Efstathia  
Carroll, Douglas  
Coffey, James  
DiSilvestro, Linda  
Gale, Sylvia  
Graham, John  
Hansberry, Daniel  
Jasper, Shawn  
Knowles, Mary Ann  
Long, Patrick  
Martel, Andre  
O'Brien, Michael Sr  
Pellegrino, Tony  
Rokas, Ted  
Shaw, Barbara  
Takesian, Charlene  
Winters, Joel

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Lockwood, Priscilla

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
MacKay, James

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
Moffett, Howard

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel

Patten, Dick  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

Rice, Chip  
Shurtleff, Stephen  
Wallner, Mary Jane

Richardson, Gary  
Smith, Todd  
Walsh, Thomas IV

Rogers, Katherine  
Tilton, Joy  
Walz, Mary Beth

### ROCKINGHAM

Abrami, Patrick  
Bishop, Franklin  
Cahill, Michael  
Cushing, Robert Jr  
Ferrante, Beverly  
Hagan, Joseph  
Lovejoy, Patricia  
Moody, Marcia  
Pantelakos, Laura  
Schlachman, Donna  
St.James, Kevin  
Till, Mary  
Weyler, Kenneth

Andrews-Ahearn, E. Elaine  
Borden, David  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Fesh, Robert  
Heffron, Frank  
Major, Norman  
Muns, Chris  
Peckham, Michele  
Schroadter, Adam  
Sweeney, Joe  
Tucker, Pamela  
Whittemore, Lisa

Bick, Patrick  
Briden, Steven  
Charron, Gene  
Devine, James  
Flockhart, Eileen  
Helmstetter, Barbara  
Mann, Maureen  
Nigrello, Robert  
Sanders, Elisabeth  
Sedensky, John  
Sytek, John  
Ward, Gerald

Birdsell, Regina  
Burtis, Elizabeth  
Copeland, Timothy  
Emerick, J. Tracy  
Gordon, Richard  
Hoelzel, Kathleen  
Milz, David  
O'Connor, John  
Scarlottio, Joe  
Sherman, Thomas  
Thompson, David  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Hubbard, Pamela  
Mullen, John Jr  
Rollo, Deanna  
Verschueren, James

Bickford, David  
Gardner, Janice  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Spang, Judith

Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
Sweeney, Cynthia

Gagnon, Raymond  
Rollins, Skip  
Tanner, Linda

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

### NAYS 74

### BELKNAP

Burchell, Richard  
Sylvia, Michael

Comtois, Guy  
Vadney, Herbert

Cormier, Jane  
Worsman, Colette

Holmes, Stephen

### CARROLL

Cordelli, Glenn  
Wright, Donald

Morrow, Harry

Nelson, Bill

Schmidt, Stephen

### CHESHIRE

None

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad

Gionet, Edmond

Ladd, Rick Jr

Reilly, Harold Sr

### HILLSBOROUGH

Boehm, Ralph  
Hikel, John  
LeVasseur, Richard  
Murphy, Kelleigh

Burt, John  
Hopper, Gary  
Meaney, Richard  
Notter, Jeanine

Flanagan, Jack  
Lambert, George  
Murotake, David  
O'Brien, William

Hansen, Peter  
LeBrun, Donald  
Murphy, Keith  
O'Flaherty, Tim



Ober, Lynne  
Rowe, Robert  
Ulery, Jordan  
Willette, Robert

Ober, Russell III  
Sanborn, Laurie  
Vaillancourt, Steve

Palmer, Stephen  
Sandblade, Emily  
Villeneuve, Moe

Pratt, Calvin  
Sweeney, Shawn  
Warden, Mark

### MERRIMACK

Hoell, J.R.

McGuire, Carol

McGuire, Dan

Schamberg, Thomas

### ROCKINGHAM

Allen, Mary  
Garcia, Bianca  
Hodgdon, Bruce  
Kolodziej, Walter  
Sapareto, Frank

Comerford, Timothy  
Grace, Curtis  
Introne, Robert  
McMahon, Charles  
Waterhouse, Kevin

Duarte, Joe  
Griffin, Mary  
Itse, Daniel  
Packard, Sherman  
Webb, James Sr

Elliott, Robert  
Harris, Jeffrey  
Kappler, Lawrence  
Priestley, Anne

### STRAFFORD

Beaudoin, Steven

Groen, Warren

Jones, Laura

Pitre, Joseph

### SULLIVAN

None

and the committee report was adopted and ordered to third reading.

### BILL REMOVED FROM THE CONSENT CALENDAR OF MAY 22, 2013

**SB 102**, relative to the selection of members of the conservation commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Bruce L. Tatro for Municipal and County Government: This bill would allow conservation commission members to be elected instead of appointed by the governing body. The committee concluded that conservation commission members need to have unique qualifications for the job and therefore should be appointed by the governing body. Vote 14-0.

Rep. Hoell spoke against.

Rep. James Belanger spoke in favor.

Committee report adopted.

### SENATE MESSAGE

#### REQUESTS CONCURRENCE WITH AMENDMENT

**HB 635**, establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas. (Amendment printed SJ 5-23-13)

Rep. Campbell moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Campbell, Chandler, Ramsey and Piper.

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, June 5, 2013 at 10:00 a.m. Adopted.

### LATE SESSION

#### Third reading and final passage

**SB 96**, relative to vexatious litigants.

**SB 143-FN**, relative to benefits for unemployed persons who are attempting to establish a business.

**SB 31**, relative to a ban on the incidental combustion of untreated wood at municipal transfer stations.

**SB 179**, clarifying the definition of "renewable generation facility" for purposes of payments in lieu of property tax payments.

**SB 20**, making modifications to the DWI ignition interlock program.

**SB 67**, establishing a committee to examine the issue of statutory authority for all terrain vehicles, off highway recreational vehicles, and low speed utility vehicles to access public highways for food, fuel, and lodging.

**SB 165**, repealing a prohibition relative to auxiliary state troopers.

**SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts.

### UNANIMOUS CONSENT

Reps. Sally Kelly and Whittemore addressed the House.

### MOTION TO PRINT REMARKS

Rep. Ulery moved that the remarks made by Rep. Whittemore be printed in the Permanent Journal. Adopted.

### REMARKS

**Rep. Whittemore:** Thank you, Madam Speaker. Although we celebrated Memorial Day in New Hampshire on Monday, the date I grew up with was May 30<sup>th</sup>. That was also my dad's birthday, and I want to share some thoughts with you. Duty-Bound: Thoughts on Memorial Day. I was a child raised in northern New Hampshire around country men who had served in both world wars. The men I grew up with didn't speak of those times, they would look at me long and hard when I asked, and then look away and shake their heads. Even my dad, with whom I was close, only opened up to share the reality of some of those days when we both got older. He said he didn't want to die with me thinking that he was "such a great guy." So, I listened to those grim tales and I met his eyes when I could, and we shared the knowing of those acts of war and each suffered the telling in our own way. I processed it over time and loved him not one bit less, understanding that war is madness, and he was in war. It was good that he told me, for it allowed me to understand what my peace-loving college friends could not, that each soldier is a soul on a journey. We cannot imagine the road they walk, nor do we want to try. As a teenager, I had friends who didn't wait for their number to come up, but headed out to war with their hearts light. I had friends who came to the farm to tell me and my folks that the lottery had called them, and they went with dread. I remember them, the ones who sought the adventure, and the ones who hated the duty. We send the children of our nation into this horror and we expect them to stand it, and we know that what we expect them to endure is more than one should endure. Still, we have our flags and our uniforms and our ceremonies, and we all know it will never be enough to thank them for what they have done. I remember the face of every young man whose name came back by word of mouth, a story in our local paper, letters carved on a memorial, with never a chance to see their eyes and laugh with them again. And I am grateful for every friend I had who came back from that war: those whose lives continued with wives, kids and jobs; and those who walked on alone, building the rich accumulation of living days. Each one is important, each story is critical to the story of our nation, of our intention, and of our commitment. We honor their duty best not in parades and speeches, although those are good and proper ceremonies. We honor them best when we ensure their well-being when they come back from where we have sent them, when they come home with needs physical, psychological and emotional. When we can ease their path to a good education, to a better job, to a more peaceful family life, to a life that is able to find its stream in the great river of our nation's prosperity, that is when we truly honor their service, and show proper respect for their gifts to us. Memorial Day is powerful, it holds memories and promise, and it reminds us of our duty, even as we honor those who did theirs.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference.

Adopted.

The House recessed at 4:05 p.m.

RECESS

(Rep. Cushing in the Chair)

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 115, 134, 139, 160, 174, 177, 193, 195, 235, 305, 327, 334, 367, 383, 391, 450, 506, 522, 551, 556 and 644 and Senate Bills numbered 13, 21, 22, 38, 104, 111, 122, 147 and 171.

Rep. Shurtleff, Sen. Prescott for the Committee

**SENATE MESSAGES****CONCURRENCE**

*HB 163*, relative to special number plates for disabled veterans.

**NONCONCURRENCE**

*HB 388*, relative to the storage of firearms.

*HB 394-FN*, relative to transfer of funds by the liquor commission.

**LAID ON THE TABLE**

*HB 520*, establishing a committee to study implementing Keno in New Hampshire.

**CONCURRENCE WITH AMENDMENTS**

*SB 43*, relative to the property taxation of qualifying historic buildings.

*SB 68*, relative to the escrow fund for court facility improvements.

*SB 71*, establishing a committee to study the use and misuse of prescription drugs in workers' compensation cases.

*SB 108*, relative to the liability of landowners who permit use of their land for recreational activities.

*SB 117-FN*, establishing a committee to study the regulation of pharmacy benefits managers.

*SB 126*, relative to business practices between motor vehicle manufacturers, distributors, and dealers.

*SB 170*, relative to advance directives pertaining to life-sustaining treatment.

**NONCONCURRENCE WITH AMENDMENTS**

*SB 51*, relative to the definition of "professional service."

*SB 128*, relative to fees for vital records.

**RECESS**

(Rep. Kaen in the Chair)

**ENROLLED BILL AMENDMENT**

*HB 313*, relative to the regulation of the compounding of drugs by pharmacists.

**Amendment (1957-EBA)**

Amend RSA 318:14 as inserted by section 3 of the bill by replacing line 5 with the following:

*orders for the sale[;]* and distribution of drugs, medicines, and poisons.

Adopted.

**RECESS**

(Rep. Shurtleff in the Chair)

**ENROLLED BILL AMENDMENT**

*SB 117-FN*, establishing a committee to study the regulation of pharmacy benefits managers.

(Amendment printed SJ 6-6-13)

Adopted.

**RECESS**

(Speaker Norelli in the Chair)

Rep. Shurtleff moved that the House adjourn.

Adopted.

## **HOUSE JOURNAL No. 19**

Wednesday, June 5, 2013

The House assembled at 10:00 a.m.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared A. Rardin, Pastor of the South Congregational Church in Concord.

O God, we gather on this beautiful Wednesday morning to do the business of this body: to ponder bills for group net metering, programs for children with disabilities, court-ordered placements in shelter care facilities and many other topics affecting people across the socio-economic spectrum. As we lift our voices in support of various issues and concerns, keep our ears, minds and hearts tuned to Your voice, and in so doing, let us not forget that this is not a beautiful Wednesday for everyone across the state. Many are struggling to make ends meet, worried about their health or education, or languishing somewhere on the margins of our society, and many of whom would do anything they could to contribute to their own betterment if they had the chance. May Your spirit infuse our gathering, whether in debate, in sidebar conversations, or over ice cream later today, and may it inspire us to true leadership. Make us bold in compassion, fair in distribution, quick in justice, and creative in embracing things which might seem initially impossible. Make us instruments of Your compassionate will. Hear our prayers today for those members of this body, or their families, who are sick or facing surgery, who are struggling with depression or loneliness, or who are experiencing undue challenge. Especially this morning, we offer up our prayers for the family members of Rep. Leon Rideout, who were injured in a car accident last night. We pray for their healing and for the well-being of all in this Chamber and for the privilege of doing this work which You entrust to our care, we thank You. In Your Holy, healing name we pray. Amen.

Representative George Sykes, member from Lebanon, led the Pledge of Allegiance.

### **POSTING OF COLORS**

Members of The White Mountains Regional High School Army JROTC Color Guard posted the Colors. Members included Cadets Morgan Gilman, Brianna-Lyn Mckeage, Chris Cass, Jamie Morris and Zeke Radcliff.

The National Anthem was sung by Cadet Zeke Radcliff, a member of the Army JROTC at The White Mountains Regional High School.

### **LEAVES OF ABSENCE**

Reps. Andrews-Ahearn, Arsenault, Bishop, Boisvert, Pamela Brown, Friel, Helmstetter, Miller, O'Hearne, Parsons, Amy Perkins, Phillips, Turcotte and Young, the day, illness.

Reps. Booras, Hinch, Thomas Katsiantonis, Sally Kelly, Lerandeau, O'Neil, Oligny, Palangas, Renzullo, Rokas, Todd Smith, Tasker, Kenneth Ward, Wazlaw and Carol Williams, the day, important business.

Reps. Lawrence Perkins and Rideout, the day, illness in the family.

Reps. Fesh and Gordon, the day, death in the family.

### **INTRODUCTION OF GUESTS**

Order of the Purple Heart, guest of Reps. Bouchard and Shurtleff. Arthur, Matthew, Solveig and Tala Hammon and Heather Burkham, husband, son, grandchildren and daughter-in-law of Rep. Hammon. Moira McNamara and Molly MacDonald, daughter and guest of Rep. McNamara. Joan Rice, wife of Rep. Frederick Rice. The Honorable Hal Lynde, former member from Pelham, guest of Rep. Takesian. Molly Root and Peter Adelfio, daughter and guest of Rep. Ebel. Mark Osborn, guest of Rep. James Webb. Michael Pedersen, guest of Rep. Vail. Fourth graders from the Chichester Central School, guests of the Merrimack District 20 Delegation. Ensign Andrew Neault, United States Navy, grandson of Rep. James Belanger. Monadnock Regional Middle-High School Varsity Football Team, 2012 NHIAA Division V State Champions, Monadnock Regional Middle-High School Varsity Fall Spirit Team, 2012 NHIAA Division III State Champions and the Monadnock Regional Middle-High School Varsity Girls Track & Field, 2013 NHIAA Division III State Champions, accompanied by their coaches, guests of the Cheshire Districts 12 and 15 Delegations.

**INTRODUCTION OF SPECIAL GUESTS**

Barbara Campbell, the 2013 New Hampshire School Nurse of the Year. Debbie Laffond, the 2013 New Hampshire Children's Librarian of the Year. Nicole Mahogany, Jillian Fisher and Brett Rubin, Silver Medalists of the National Scholastic Art Award.

**SENATE MESSAGES****REQUESTS CONCURRENCE WITH AMENDMENTS**

**HB 229-FN**, relative to a financial examination supervisor. (Amendment printed SJ 5-23-13)  
Rep. Butler moved that the House concur and spoke in favor.  
Adopted.

**HB 231**, relative to reinsurance. (Amendment printed SJ 5-23-13)  
Rep. Butler moved that the House concur and spoke in favor.  
Adopted.

**HB 278**, relative to voluntary installation of fire suppression sprinklers. (Amendment printed SJ 5-23-13)  
Rep. Butler moved that the House concur and spoke in favor.  
Adopted.

**HB 526-FN**, relative to termination of activities and dissolution of the association created under RSA 404-G. (Amendment printed SJ 5-23-13)  
Rep. Butler moved that the House concur and spoke in favor.  
On a division vote, 268 members having voted in the affirmative and 53 in the negative, the motion was adopted.

**HB 575**, relative to hours of sales of on-premises liquor licensees. (Amendment printed SJ 5-23-13)  
Rep. Butler moved that the House concur and spoke in favor.  
Rep. Vaillancourt spoke against.  
On a division vote, 220 members having voted in the affirmative and 109 in the negative, the motion was adopted.

**HB 640**, relative to the standard valuation law. (Amendment printed SJ 5-23-13)  
Rep. Butler moved that the House concur and spoke in favor.  
Adopted.

**HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding. (Amendment printed SJ 5-23-13)  
Reps. Gile and Wallner moved that the House concur.  
Rep. Gile spoke in favor and yielded to questions.  
Rep. Boehm yielded to questions.  
On a division vote, 200 members having voted in the affirmative and 124 in the negative, the motion was adopted.

**HB 225**, relative to the rulemaking authority of the liquor commission. (Amendment printed SJ 5-23-13)  
Rep. Weber moved that the House concur and spoke in favor.  
Adopted.

**HB 342-FN**, relative to reporting of compensation paid to retired members of the retirement system. (Amendments printed SJ 5-23-13)  
Rep. Weber moved that the House concur and spoke in favor.  
On a division vote, 289 members having voted in the affirmative and 51 in the negative, the motion was adopted.

**HB 686**, relative to approval of liquor commission contracts. (Amendments printed SJ 5-23-13)  
Rep. Weber moved that the House concur and spoke in favor.  
Adopted.

**HB 528**, relative to support and care costs for children with disabilities. (Amendment printed SJ 5-23-13)  
Rep. James MacKay moved that the House concur and spoke in favor.  
Adopted.

**HB 246**, relative to falsity by employer. (Amendments printed SJ 5-30-13)  
 Reps. Andrew White and Pantelakos moved that the House concur.  
 Rep. Andrew White spoke in favor.  
 Adopted.

**HB 410**, establishing a commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B. (Amendment printed SJ 5-23-13)  
 Rep. Gary Richardson moved that the House concur and spoke in favor.  
 Adopted.

**HB 602**, establishing a commission to study general court policies and procedures relative to persons with disabilities. (Amendment printed SJ 5-23-13)  
 Rep. Gary Richardson moved that the House concur and spoke in favor.  
 Adopted.

**HB 306**, relative to New Hampshire's regional greenhouse gas initiative. (Amendment printed SJ 5-23-13)  
 Rep. Borden moved that the House concur and spoke in favor.  
 Rep. William O'Brien requested a roll call; sufficiently seconded.

### YEAS 207 NAYS 131

#### YEAS 207

#### BELKNAP

DiMartino, Lisa  
 Raymond, Ian

Fields, Dennis

Gulick, Ruth

Huot, David

#### CARROLL

Buco, Thomas  
 Merrow, Harry

Butler, Edward  
 Ticehurst, Susan

Crawford, Karel  
 Umberger, Karen

Lavender, Tom  
 White, Syndi

#### CHESHIRE

Ames, Richard  
 Chase, Cynthia  
 Ley, Douglas  
 Sad, Tara  
 Weed, Charles

Berch, Paul  
 Emerson, Susan  
 Mann, John  
 Shepardson, Marjorie

Burridge, Delmar  
 Hunt, John  
 Roberts, Kris  
 Tatro, Bruce

Butynski, William  
 Johnsen, Gladys  
 Robertson, Timothy  
 Weber, Lucy

#### COOS

Coulombe, Gary  
 Theberge, Robert

Enman, Larry

Hammon, Marcia

Moynihan, Wayne

#### GRAFTON

Aguiar, James  
 Cooney, Mary  
 Gionet, Edmond  
 Lovett, Sid  
 Pastor, Beatriz  
 Sykes, George

Almy, Susan  
 Doolan, Ralph Jr  
 Harding, Laurie  
 Massimilla, Linda  
 Piper, Wendy  
 Townsend, Charles

Benn, Bernard  
 Ford, Susan  
 Higgins, Patricia  
 Mulholland, Catherine  
 Reilly, Harold Sr  
 White, Andrew

Brown, Rebecca  
 Friedrich, Carol  
 Lauer, Linda  
 Nordgren, Sharon  
 Smith, Suzanne

#### HILLSBOROUGH

Backus, Robert  
 Carroll, Douglas  
 Danielson, David  
 Gale, Sylvia  
 Gorman, Mary  
 Hammond, Jill

Beaulieu, Jane  
 Chandley, Shannon  
 DiSilvestro, Linda  
 Gargas, Carolyn  
 Grady, Brenda  
 Hansberry, Daniel

Belanger, James  
 Connor, Evelyn  
 Eaton, Richard  
 Gidge, Kenneth  
 Hackel, Paul  
 Harriott-Gathright, Linda

Campbell, David  
 Cote, David  
 Gage, Ruth  
 Goley, Jeffrey  
 Haefner, Robert  
 Heden, Ruth

Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
Murotake, David  
Rhodes, Brian  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Kelley, John  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Nelson, Mary  
Rosenwald, Cindy  
Spratt, Stephen  
Walsh, Robert Jr

Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Brien, Michael Sr  
Schmidt, Janice  
Stroud, Kathleen  
Williams, Kermit

Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Peter  
Winters, Joel

### MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Ratzki, Mario  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
MacKay, James  
Reed, Dennis  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

### ROCKINGHAM

Borden, David  
Chirichiello, Brian  
Flockhart, Eileen  
Hoelzel, Kathleen  
Major, Norman  
Nigrello, Robert  
Schlachman, Donna  
Ward, Gerald

Briden, Steven  
Copeland, Timothy  
Griffin, Mary  
Introne, Robert  
Mann, Maureen  
Pantelakos, Laura  
Sherman, Thomas  
Whittemore, Lisa

Cahill, Michael  
Cushing, Robert Jr  
Hayes, Jack  
Khan, Aboul  
Moody, Marcia  
Priestley, Anne  
Thompson, David

Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Heffron, Frank  
Lovejoy, Patricia  
Muns, Chris  
Scarlotta, Joe  
Till, Mary

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Verschuere, James

Bickford, David  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Meneau, H. Robert III  
Rollo, Deanna  
Spang, Judith

Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Grenier, James  
Tanner, Linda

Irwin, Virginia

### NAYS 131

### BELKNAP

Burchell, Richard  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

Fink, Charles  
Luther, Robert  
Worsman, Colette

Flanders, Donald  
Sylvia, Michael

### CARROLL

Ahlgren, Christopher  
Schmidt, Stephen

Chandler, Gene  
Wright, Donald

Cordelli, Glenn

Nelson, Bill

### CHESHIRE

Johnson, Jane

Parkhurst, Henry

### COOS

Rappaport, Laurence

Richardson, Herbert

**GRAFTON**

Bailey, Brad

Bradley, Lester

Ladd, Rick Jr

Shackett, Jeffrey

**HILLSBOROUGH**

Barry, Richard  
 Cebrowski, John  
 Daniels, Gary  
 Hansen, Peter  
 Jasper, Shawn  
 LeVasseur, Richard  
 Meaney, Richard  
 O'Brien, William  
 Parison, James  
 Rowe, Robert  
 Souza, Kathleen  
 Vaillancourt, Steve

Boehm, Ralph  
 Christiansen, Lars  
 Flanagan, Jack  
 Hikel, John  
 Kurk, Neal  
 Marston, Dick  
 Murphy, Keith  
 O'Flaherty, Tim  
 Pellegrino, Tony  
 Sanborn, Laurie  
 Straight, Philip  
 Villeneuve, Moe

Burt, John  
 Coffey, James  
 Gagne, Larry  
 Hopper, Gary  
 Lambert, George  
 Martel, Andre  
 Murphy, Kelleigh  
 Ober, Russell III  
 Peterson, Lenette  
 Sandblade, Emily  
 Takesian, Charlene  
 Willette, Robert

Byron, Frank  
 Culbert, Patrick  
 Garcia, Michael  
 Infantine, William  
 LeBrun, Donald  
 McCarthy, Michael  
 Notter, Jeanine  
 Palmer, Stephen  
 Pratt, Calvin  
 Shaw, Barbara  
 Ulery, Jordan

**MERRIMACK**

Hess, David  
 McGuire, Dan

Hoell, J.R.  
 Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
 Bick, Patrick  
 Danais, Romeo  
 Elliott, Robert  
 Garcia, Marilinda  
 Hodgdon, Bruce  
 McKinney, Betsy  
 Packard, Sherman  
 Sapareto, Frank  
 Sweeney, Joe  
 Tucker, Pamela

Allen, Mary  
 Birdsell, Regina  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Grace, Curtis  
 Kappler, Lawrence  
 McMahon, Charles  
 Peckham, Michele  
 Schroadter, Adam  
 Sytek, John  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Charron, Gene  
 Devine, James  
 Ferrante, Beverly  
 Hagan, Joseph  
 Kolodziej, Walter  
 Milz, David  
 Rice, Frederick  
 Sedensky, John  
 Tamburello, Daniel  
 Webb, James Sr

Belanger, Ronald  
 Comerford, Timothy  
 Duarte, Joe  
 Garcia, Bianca  
 Harris, Jeffrey  
 Lundgren, David  
 O'Connor, John  
 Sanders, Elisabeth  
 St. James, Kevin  
 Tremblay, Stella  
 Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
 Mullen, John Jr

Gray, James  
 Pitre, Joseph

Groen, Warren

Jones, Laura

**SULLIVAN**

Gagnon, Raymond

Rollins, Skip

Smith, Steven

and the motion was adopted.

Reps. Moffett and Itse declared conflicts of interest and did not participate.

**HB 630-FN**, relative to the use of proceeds from the regional greenhouse gas initiative program.  
 (Amendment printed SJ 5-23-13)

Rep. Borden moved that the House concur and spoke in favor.

Adopted.

Rep. Moffett declared a conflict of interest and did not participate.

**HB 137**, relative to special number plates for members of the national guard. (Amendment printed 5-30-13)

Rep. Bouchard moved that the House concur and spoke in favor.

Adopted.

**HB 253**, relative to limitations on sales by nano breweries for consumption on the premises. (Amendment printed SJ 5-23-13)

Rep. Butler moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Schlachman, Scarlotto, John Hunt and Kermit Williams.



**HB 472**, relative to residential units in rooming houses. (Amendment printed SJ 5-23-13)  
Rep. Butler moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Butler, Schlachman, Muns and Hammond.

**HB 442**, prohibiting residency restrictions for registered sex offenders and offenders against children. (Amendment printed SJ 5-23-13)

Rep. Pantelakos moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Ginsburg, Vaillancourt, Grady and Gagne.

**HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration. (Amendment printed SJ 5-2-13)

Reps. Weber and Wallner moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Goley, Benn, Hansberry and Hansen.

Rep. Moffett declared a conflict of interest and did not participate.

**HB 385**, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. (Amendment printed SJ 5-23-13)

Rep. Weber moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Goley, Schuett, Daniel Sullivan and Beaudoin.

**HB 599-FN**, relative to establishing a single liquor commissioner. (Amendment printed SJ 5-23-13)

Rep. Weber moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Schuett, Weber, Goley and Carol McGuire.

**HB 573-FN**, relative to the use of cannabis for therapeutic purposes. (Amendment printed SJ 5-23-13)

Rep. James MacKay moved that the House nonconcur and request a Committee of Conference.

Rep. Winters spoke against.

On a division vote, 292 members having voted in the affirmative and 47 in the negative, the motion was adopted.

The Speaker appointed Reps. James MacKay, Stephen Schmidt, Sherman and Andrews-Ahearn.

**HB 546**, relative to medical examinations under workers' compensation. (Amendment printed SJ 5-23-13)

Rep. Andrew White moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Andrew White, Flanagan, Weed and St. James.

**HB 314**, raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance. (Amendment printed SJ 5-30-13)

Rep. Almy moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Lovejoy, John Kelley, Butynski and Sapareto.

## SENATE MESSAGE

### NONCONCURS WITH AMENDMENT

### REQUESTS COMMITTEE OF CONFERENCE

**SB 35**, relative to the master jury list.

The President appointed Sens. Cataldo, Carson and Lasky.

Rep. Marjorie Smith moved that the House accede.

Adopted.

The Speaker appointed Reps. Berch, Woodbury, Heffron and Rowe.

## AMENDMENT TO HOUSE RULES

Reps. Shurtleff and Chandler moved the adoption of an amendment, as proposed by the Rules Committee, to amend House Rule 65 adding the following deadlines for legislative action:

Monday, September 9, 2013

Friday, September 27, 2013

Friday, November 15, 2013

Friday, November 22, 2013

Wednesday, January 8, 2014

Rep. Gary Richardson spoke in favor.

Adopted by the necessary two-thirds vote.

First day to file LSRs for 2014

Last day to file LSRs (4:00 p.m.)

Last day to sign off LSRs (4:00 p.m.)

Last day to report retained bills

Last day to introduce House Legislation

### CONSENT CALENDAR

Rep. Shurtleff moved that the Consent Calendar with the relevant amendments as printed in the day's House Record be adopted.

**SB 97**, relative to high school equivalency and relative to illiteracy, removed by Rep. Hoell.  
Consent Calendar adopted.

Rep. Moffett declared a conflict of interest on **SB 99-FN** and **SB 191-FN-A** and did not participate in the vote on the Consent Calendar.

**SB 173**, relative to criminal background checks for individuals volunteering or applying for employment at licensed child care facilities. **OUGHT TO PASS.**

Rep. Robert R. Cushing for Criminal Justice and Public Safety: This bill came to the committee to review for criminal penalties. As this bill neither adds criminal penalties nor reduces existing penalties, our committee voted unanimously to recommend Ought to Pass. Vote 13-0.

**SB 76**, relative to disqualification of candidates. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert J. Perry for Election Law: This bill, as amended, clarifies existing law relative to disqualification due to incapacitating physical disability to require a letter from a licensed physician confirming that condition, and adds mental disability as a qualifying condition. Vote 12-0.

### Amendment (1480h)

Amend the bill by replacing section 1 with the following:

1 Disqualification of Candidate; Disability. Amend RSA 655:38 to read as follows:

655:38 Disqualification of Candidate. If a candidate to be voted for at the general election shall make oath between the date of the candidate's nomination and the day of the election that he or she does not qualify for the public office which he or she seeks because of age, domicile, or incapacitating physical *or mental* disability acquired subsequent to the primary, the secretary of state may remove said person's name from the ballot. *Any such oath citing an incapacitating physical or mental disability shall be accompanied by a letter from a licensed physician confirming such a condition.*

A new candidate may be substituted by the appropriate party committee by submitting the name of the new candidate to the secretary of state within 3 days of the notice of disqualification. The name of the substitute candidate shall be placed on the ballots as provided in RSA 656:21.

### AMENDED ANALYSIS

This bill requires a letter from a physician for a candidate to disqualify himself or herself because of incapacitating physical or mental disability.

**SB 112**, requiring constitutional amendment concurrent resolutions to contain the language for the voter's guide. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Mary L. Till for Election Law: This bill, as amended, will require that resolutions proposing constitutional amendments, whether passed by the state legislature or a constitutional convention include explanatory text of the statement for the voter's guide. Previously, the language for the voter's guide was approved by members of the policy committee to which the CACR was referred. Vote 14-0.

### Amendment (1408h)

Amend the title of the bill by replacing it with the following:

AN ACT relative to voters' guides for proposed constitutional amendments.

Amend the bill by replacing all after the enacting clause with the following:

1 Constitutional Amendments; Voter's Guides. Amend RSA 663:3-a to read as follows:  
663:3-a Voter's Guides.

*I. If the general court proposes the constitutional amendment, the text of the statement for the voter's guide, if any, shall be included in the resolution proposing the constitutional amendment.* The joint committee on legislative facilities may authorize the printing *or distribution* of [a] the voter's guide. [~~Distribution of the voter's guide shall not take place until its text has been reviewed and approved by the house and senate policy committees which considered the proposed constitutional amendment.~~]

*II. If the constitutional convention proposes the constitutional amendment, the text of the statement for the voter's guide, if any, shall be included in the resolution proposing the constitutional amendment.*

2 Constitutional Amendment; Form of Ballot. Amend RSA 663:3 to read as follows:

663:3 Form of Ballot. The following words shall be printed above the constitutional amendment questions on all ballots containing such questions: "Questions Relating to Constitutional Amendments Proposed by the Convention to Revise the Constitution" *or* "***Questions Relating to Constitutional Amendments Proposed by the Legislature to Revise the Constitution,***" *whichever is appropriate.* A constitutional question shall include, in the text of the question, the text of the article of the constitution as it is proposed to be amended, and the results of the vote taken on ordering the proposed amendment to third reading in both the senate and the house of representatives or at the constitutional convention, whichever is appropriate.

3 Effective Date. This act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill provides that a legislative constitutional amendment concurrent resolution (CACR) or a constitutional convention resolution proposing a constitutional amendment shall have the text of the language for the voter's guide, if any, included as part of the resolution.

**SB 44**, relative to the disposal of controlled drugs by law enforcement officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol M. McGuire for Executive Departments and Administration: This bill updates the laws on disposal of controlled drugs by law enforcement to reflect the change from district to circuit court and clarifies the rulemaking authority for the drug take back and disposal program. The department of justice is the lead agency, with input from the pharmacy board, the department of safety, and the department of environmental services. The committee amendment uses the original "consultation" rather than "consent" by the other agencies, since "consent" would require changes to the rulemaking process in RSA 541-A. Vote 16-0.

#### Amendment (1600h)

Amend the bill by replacing all after the enacting clause with the following:

1 Controlled Drug Act; Disposal of Controlled Drugs in Possession of Law Enforcement Officer. Amend RSA 318-B:17, I-a and I-b to read as follows:

I-a. The [~~district~~] ***circuit*** court having jurisdiction over a misdemeanor *or violation* controlled drug offense may order such controlled drugs forfeited and destroyed upon written motion. Such order shall not be entered until after the period for appeal of the offense has expired.

I-b. The [~~district~~] ***circuit*** court shall require the same record and reporting of the officer who is destroying the controlled drugs as is required under paragraph I for the superior court, with the exception of notification to the Drug Enforcement Administration.

2 Pharmaceutical Drug Take-Back Program Authorized. Amend RSA 318-E:1, III to read as follows:

III. The department of justice, *in consultation with the* pharmacy board, *the* department of safety, and *the* department of environmental services shall [~~jointly~~] establish [~~guidelines by rule~~] ***rules***, pursuant to RSA 541-A, for the collection, storage, and disposal of collected drugs in accordance with applicable state and federal statutes and regulations.

3 Effective Date. This act shall take effect January 1, 2014.

#### AMENDED ANALYSIS

This bill amends the procedure for disposal of controlled drugs in the possession of a law enforcement officer and makes the department of justice responsible for adopting rules for the pharmaceutical drug take-back program.

**SB 90**, establishing a committee to study developing a policy for veteran preference for government hiring. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Dianne E. Schuett for Executive Departments and Administration: The bill establishes a study committee to develop policy for veteran preference in government hiring. The amendment, which was requested by the prime sponsor and which was the subject of a separate hearing, extends the repeal date for the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury in RSA 115-D:5 to allow time to convert it to a permanent commission so that the important work being done on this issue will not be interrupted. Vote 17-0.

#### **Amendment (1307h)**

Amend the title of the bill by replacing it with the following:

AN ACT establishing a committee to study developing a policy for veteran preference for government hiring and extending the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury.

Amend the bill by replacing all after section 5 with the following:

6 Commission on the Effects of Service-Connected Post-Traumatic Stress Disorder and Traumatic Brain Injury; Report. Amend RSA 115-D:5 to read as follows:

115-D:5 Report. The commission shall make ~~an interim report on or before May 1, 2012 and~~ a final report on or before November 1, ~~[2013]~~ **2014** of its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairman of the house health, human services and elderly affairs committee, the chairman of the senate health, education and human services committee, the chairman of the house state-federal relations and veterans affairs committee, the senate clerk, the house clerk, the governor, the members of the New Hampshire congressional delegation, and the state library.

7 Effective Date of Repeal of Commission. Amend 2011, 84:3, I, as amended by 2012, 81:4, I to read as follows:

12 Section 2 of this act shall take effect November 1, ~~[2013]~~ **2014**.

8 Effective Date. This act shall take effect upon its passage.

#### **AMENDED ANALYSIS**

This bill establishes a committee to study developing a policy for giving preference to veterans in government hiring.

This bill also extends the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury.

**SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation. **OUGHT TO PASS.**

Rep. Katherine D. Rogers for Finance: This bill directs the Joint Legislative Historical Committee to conduct a study relative to the restoration and preservation of the flags displayed in the State House Hall of Flags and issue a report of its findings and recommendations with an estimate of the cost and timeframe for those recommendations on or before November 1, 2014. There will be no financial impact on state expenditures. It also directs the Joint Legislative Historical Committee to acquire a portrait of Marilla Marks Ricker, an early suffragist and the first woman in New Hampshire history to file for the office of governor. The committee is to oversee the hanging of the portrait in a place of honor in the state house complex befitting a heroine of this historical stature. The cost of the portrait will be defrayed by contributions and funds designated for historical and art acquisitions. Vote 23-0.

**SB 124-FN**, establishing an integrated land development permit. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Lynne M. Ober for Finance: This bill establishes a voluntary alternative process for any project requiring two or more permits from the department of environmental services (DES). This integrated land development permit encompasses four programs: terrain alteration, wetlands, sewage disposal systems and shoreland water quality protection. An applicant may consult with DES before participating. After applying, there is an extensive pre-application technical review followed by a final review. The program allows for early notification to and involvement of all interested parties such as municipalities, regional commissions, state divisions and departments and federal entities. The program may shorten the time for completion of the state permitting process. Although the bill

asked for two positions which would be eliminated after two years, the department testified that it was unknown if anyone would bid on a short term position and no work mission had been developed for one of the two positions. Additionally the department testified that they already were using the LEAN process to streamline their rules. Therefore, the committee felt that the department should use a consultant, if needed. Since funding was to come from existing department funds, no money is needed. As a result, the amendment removed the two positions. Vote 23-0.

#### **Amendment (1863h)**

Amend the bill by deleting section 2 and renumbering the original sections 3-9 to read as 2-8, respectively.

Amend the bill by replacing all after section 6 with the following:

7 Effective Date.

I. Sections 1, 5, and 6 of this act shall take effect January 1, 2015.

II. Sections 2-4 of this act shall take effect 60 days after its passage.

III. The remainder of this act shall take effect upon its passage.

#### **AMENDED ANALYSIS**

This bill establishes a permit process for applicants seeking one or more land development permits from the department of environmental services.

**SB 162-FN**, repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds, and relative to the membership of the higher education commission. **OUGHT TO PASS.**

Rep. Kenneth L. Weyler for Finance: To protect student applicants from having a career school cancelled for which they had prepaid tuition, a guaranteed fund was created to reimburse the student in the event the cancellation was due to bankruptcy. Alternative methods had been available for this guarantee, such as bonds or letters of credit, and these methods were less expensive than depositing all tuition in a fund. After 9/11/2001, the hijackers were found to have attended career schools to learn piloting skills. This put an onus on all career schools and made bonding and letters of credit difficult to obtain, thus the fund was established. Now that the bonding and letters of credit have been reestablished, the fund is no longer used or needed. This bill will eliminate a dedicated fund and return the moneys to the schools. Although one description of the bill refers to the membership of the higher education commission, that language was removed previously. Vote 23-0.

**SB 184-FN**, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services. **OUGHT TO PASS.**

Rep. Daniel A. Eaton for Finance: SB 184-FN would allow the department of fish and game to complete their own emergency medical training that would run concurrent with their certification. Currently, the department is required to train with another agency at a cost of over \$25,500.00 in a time frame that exceeds the time frame of the certification. SB 184-FN will save the department of fish and game money without diminishing the quality or type of training. Vote 23-0.

**SB 192-FN-L**, establishing a committee to study the establishment of a state infrastructure bank. **OUGHT TO PASS.**

Rep. Kenneth L. Weyler for Finance: There have been previous bills to establish a state infrastructure bank. The model used was the Bank of North Dakota. That bank works with the state's private banks to ensure sufficient capitalization for projects in that state. The sponsors feel that these previous attempts had not seen sufficient analysis. This bill would just study the issue rather than mandate the establishment. One remarkable factor about this bill was the number of Senators as members of the committee; there are three, equal to the number of House members. This leads us to believe that there must be a real interest in this subject in the Senate. Vote 23-0.

**SB 19-FN**, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gene G. Chandler for Public Works and Highways: This bill deals with ensuring that any sale of the former Laconia state school property would come before the long range capital planning and utilization committee as is the common practice in such instances. Language was inserted into the last budget that removed the requirement that this one sale would be exempt from the requirements

of coming before the long range capital planning and utilization committee. The Senate amendment added language pertaining to an unrelated subject: the removal of the toll booth at Exit 12 in Merrimack. The committee is dealing with the Merrimack toll issue in other legislation so the committee amended this bill to remove the toll language and revert back to the original bill. Vote 17-1.

#### Amendment (1632h)

Amend the title of the bill by replacing it with the following:

AN ACT repealing provisions relative to the sale of the former Laconia state school property.

Amend the bill by replacing all after section 1 with the following:

2 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill repeals certain procedural exemptions related to the sale of the former Laconia state school property.

**SB 98**, authorizing group net metering for limited electrical energy procedures and establishing a committee to study reimbursement rates for excess electricity generated by customer-generator groups. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jacqueline A. Cali-Pitts for Science, Technology and Energy: Group net metering allows electric energy customers to receive credit for energy produced by renewable sources. Group net metering will permit more customers to take advantage of credits and promote renewable energy. After much work and collaboration and with the approval of the prime sponsor, the committee amended the net metering statute to allow for group net metering and to create a host group net metering model. Group hosts must be registered by the public utilities commission, have members of the group live within the same utility provider area and be on default service. The clearest example would be that of a municipality that has a renewable energy source and wishes other buildings gain advantage of that source. The program will be regularly monitored. Vote 19-0.

#### Amendment (1857h)

Amend the title of the bill by replacing it with the following:

AN ACT authorizing group net metering for limited electrical energy procedures.

Amend the bill by replacing all after the enacting clause with the following:

1 Limited Electrical Energy Producers; Definitions. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns or operates an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a total peak generating capacity of ~~[not more than 100 kilowatts, or that first begins operation after July 1, 2010 and has a total peak generating capacity of 100 kilowatts or more]~~ up to **and including** one megawatt, that is located behind a retail meter on the customer's premises, is interconnected and operates in parallel with the electric grid, and is used ~~[in the first instance]~~ to offset the customer's own electricity requirements. ***Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the nonqualifying facility.***

2 New Paragraph; Net Energy Metering. Amend RSA 362-A:9 by inserting after paragraph XIII the following new paragraph:

XIV.(a) A customer-generator may elect to become a group host for the purpose of reducing or otherwise controlling the energy costs of a group of customers who are not customer-generators. The group of customers shall be default service customers of the same electric distribution utility as the host. The host shall provide a list of the group members to the commission and the electric distribution utility and shall certify that all members of the group have executed an agreement with the host regarding the utilization of kilowatt hours produced by the eligible facility and that the total historic annual load of the group members together with the host exceeds the projected annual output of the host's facility. The commission shall verify that these group requirements have been met and shall register the group host. The commission shall establish the process for registering hosts, including periodic re-registration, and the process by which changes in membership are allowed and administered.

(b) Except as provided in subparagraph (c), the provisions of this section shall apply to a group host as a customer-generator.

(c) Notwithstanding paragraph V, a group host shall be paid for its surplus generation at the end of each billing cycle at rates consistent with the credit the group host receives relative to its own net metering under either subparagraph IV(a) or (b). On an annual basis, the electric distribution utility shall calculate a payment adjustment if the host's surplus generation for which it was paid is greater than the group's total electricity usage during the same time period. The adjustment shall be such that the resulting compensation to the host for the amount that exceeded the group's total usage shall be at the utility's avoided cost or its default service rate in accordance with subparagraph V(b) or paragraph VI. The utility shall pay or bill the host accordingly.

(d) Group hosts shall be responsible for any costs necessary to upgrade a utility's information systems in order to implement this paragraph, as determined by the commission.

(e) The commission is authorized to assess fines against, revoke the registration of, and prohibit from doing business in the state, any group host which violates the requirements of this paragraph and rules adopted pursuant to this paragraph.

3 Renewable Energy Fund. Amend RSA 362-F:10, IV to read as follows:

IV. The commission shall make an annual report by October 1 of each year, beginning in 2009, to the legislative oversight committee on electric utility restructuring *established* under RSA 374-F:5, *the house science, technology and energy committee, and the senate energy and natural resources committee* detailing how the renewable energy fund is being used and any recommended changes to such use. The report shall also include information on the total peak generating capacity that is net energy metered under RSA 362-A:9 within the franchise area of each electric distribution utility, and the percentage this represents of the amount that is allowed to be net metered within each franchise area. *Information shall be provided on net metered group host registrations and the associated customer groups, including number and location of group host facilities, generation by renewable source and size of facility, and group load served by such facilities.*

4 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill:

I. Modifies the definition of customer-generator as it relates to net energy metering.

II. Permits a customer-generator to become a group host to control the energy costs of certain customers.

**SB 99-FN**, requiring the site evaluation committee to direct a study of site evaluation criteria and establishing a committee to study the criteria for siting of wind powered electric generating facilities, other electric generating facilities, and transmission facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Robert A. Backus for Science, Technology and Energy: This bill, as amended, requires the office of energy and planning (OEP) with an outside vendor, and with full opportunity for public input, to perform a study to examine all aspects of the procedures, practices and structures of the site evaluation committee (SEC). Among the areas to be considered are whether new requirements for alternatives are needed and the issue of burial of transmission lines. A report on the study is due on December 31, 2013. It also establishes a stakeholder process to be overseen by the OEP assisted by a consultant to develop specific criteria to develop rules to be applied by the SEC when considering applications for new energy projects. The date for these rules to be in place is January 1, 2015, and the stakeholder process is to be completed a year earlier. The bill thus addresses both the concerns expressed about the siting process and the criteria to determine the appropriateness of certain sites for new renewable generation facilities, including wind turbines and new transmission lines. The bill authorizes the OEP and the SEC to utilize funds from the energy efficiency portion of the systems benefits charge up to \$200,000 through the public utilities commission to retain a consultant or consultants to carry out the provisions of the act, and to utilize other sources of funding that may be available. Vote 18-0.

#### Amendment (1941h)

Amend the title of the bill by replacing it with the following:

AN ACT requiring a study of the site evaluation committee and process, and developing regulatory criteria for the siting of energy facilities.

Amend the bill by replacing all after the enacting clause with the following:

1 Study and Report. The office of energy and planning (OEP) shall, in consultation with the senate energy and natural resources committee and the house science, technology and energy committee, contract with an outside vendor to perform a study of the site evaluation committee's organization, structure, and process to better ensure that the review of energy facility applications serves the public good and provides clarity to potential energy project developers. The study shall identify deficits and needs, including but not limited to, potential funding, technology expertise, committee membership, staffing, the roles of participating municipalities and the public, the role of the counsel to the public, whether RSA 162-H allows the site evaluation committee to require applicants to present alternatives, including but not limited to the burial of energy facilities in publicly-owned transportation rights of way, and other issues that may be identified. The study shall also include review and consideration of relevant studies and plans, including but not limited to those developed by the independent system operator of New England (ISO-NE), the public utilities commission, the energy efficiency and sustainable energy board, legislative study committees and commissions, and other state and regional organizations as appropriate. The study shall engage all interested members of the public in a process where meetings are duly noticed and minutes are maintained for all public meetings and posted on the OEP website within 7 days of the meeting. The OEP shall make a report to the speaker of the house of representatives, the senate president, the governor, the senate clerk, the house clerk, and the state library on or before December 31, 2013.

2 New Paragraph; Energy Facility Site Evaluation. Amend RSA 162-H:10 by inserting after paragraph VI the following new paragraph.

VII. No later than January 1, 2015, the committee shall adopt rules, pursuant to RSA 541-A, relative to criteria for the siting of energy facilities, including specific criteria to be applied in determining if the requirements of RSA 162-H:16, IV (b) and (c) have been met by the applicant for a certificate of site and facility. Prior to the adoption of such rules, the office of energy and planning shall hire and manage one or more consultants to conduct a public stakeholder process to develop recommended regulatory criteria, which may include consideration of issues identified in attachment C of the 2008 final report of the state energy policy commission, as well as others that may be identified during the stakeholder process. The office of energy and planning shall submit a report based on the findings of the public stakeholder process to the committee by January 1, 2014.

3 Funding. Up to a combined total of \$200,000 shall be made available by the public utilities commission to the office and energy and planning to fulfill its responsibilities under sections 1 and 2 of this act and to the site evaluation committee for rulemaking under section 2 of this act from the energy efficiency portion of the system benefits charge, the renewable energy fund established under RSA 362-F:10, the energy efficiency fund established under RSA 125-O:23, or other funding sources under the jurisdiction of the public utilities commission. The office and the committee may utilize any other funding sources that are available to them for these purposes.

4 Effective Date. This act shall take effect upon its passage.

#### AMENDED ANALYSIS

This bill requires the office of energy and planning to contract with an outside vendor for a study of the site evaluation committee and its processes. The bill requires the site evaluation committee to adopt rules by January 1, 2015. The bill funds the study and the rulemaking process from funding sources under the jurisdiction of the public utilities commission.

**SB 191-FN-A**, establishing a state energy strategy. **OUGHT TO PASS WITH AMENDMENT.**

Rep. William S. Baber for Science, Technology and Energy: The state's existing energy plan was created in 2002 and has not been updated. Unforeseen by that plan were the dramatic drop in natural gas prices, the near elimination of the use of coal for the generation of electricity, the possibility of a major transmission line from Canada, the impacts of wind energy farms, and dramatic reduction in the cost of solar panels. A new strategic plan will provide forward-looking guidance on electric, gas, and thermal energy strategies; seek to optimize the ready availability of energy supply, energy affordability; the retention in-state of energy expenditures; the retention of jobs and the use of renewable energy sources and energy efficiency policies, including demand-side policies; and minimize negative impacts to the economy, the environment, and the natural beauty of our state. This bill, as amended, establishes a council of five legislators, and three department heads to oversee the hiring of a consultant and to guide the creation of a new ten-year energy strategy for the state. The amendment refines and extends the goals of the senate version, reduces the size of



the advisory council, sunsets the council upon completion of the strategy, extends the review cycle to three years, refers the need to update the strategy to the respective house and senate committees, extends funding to include all available and appropriate public utility commission funds, and requires that outside funding be sought. Vote 18-0.

### **Amendment (1900h)**

Amend the bill by replacing all after the enacting clause with the following:

1 State Energy Strategy; Purpose. Development of a state energy strategy is necessary to ensure that the state's energy policies and programs support the state's economic, environmental, and public health goals.

2 State Energy Strategy; Findings.

I. The general court finds that a comprehensive energy strategy will:

(a) Provide forward-looking guidance on electric, gas, and thermal energy strategies.

(b) Optimize the ready availability of energy supply, energy affordability, the retention in-state of energy expenditures, the retention of jobs, and the use of renewable energy sources and energy efficiency policies, including demand-side policies.

I Minimize negative impacts to the economy, the environment, and the natural beauty of our state.

II. The general court further finds that the use of funding sources under the jurisdiction of the public utilities commission, notwithstanding requirements under other provisions of law, to fund the development of a state energy strategy is in the public interest.

3 New Chapter; State Energy Strategy. Amend RSA by inserting after chapter 4-D the following new chapter:

### **CHAPTER 4-E STATE ENERGY STRATEGY**

4-E:1 State Energy Strategy.

I. The office of energy planning, in consultation with the state energy advisory council established in RSA 4-E:2, with assistance from an independent consultant and with input from the public and interested parties, shall prepare a 10-year energy strategy for the state. The office shall review the strategy and consider any necessary updates in consultation with the senate energy and natural resources committee and the house science, technology and energy committee, after opportunity for public comment, at least every 3 years starting in 2017. The state energy strategy shall include, but not be limited to, sections on the following:

(a) The projected demand for consumption of electricity, natural gas, and other fuels for heating and other related uses.

(b) Existing and proposed electricity and natural gas generation and transmission facilities, the effects of future retirements and new resources, and consideration of possible alternatives.

I Renewable energy and fuel diversity.

(d) Small-scale and distributed energy resources, energy storage technologies, and their potential in the state.

(e) The role of energy efficiency, demand response, and other demand-side resources in meeting the state's energy needs.

(f) The processes for siting energy facilities in the state and the criteria used by the site evaluation committee in giving adequate consideration to the protection of the state's ecosystems and visual, historic, and aesthetic resources in siting processes.

(g) The relationship between land use and transportation policies and programs on electricity and thermal energy needs in the state.

(h) New Hampshire's role in the regional electric markets, how the regional market affects the state's energy policy goals, and how the state can most effectively participate at the regional level.

II. The strategy shall include a review of all state policies related to energy, including the issues in paragraph I, and recommendations for policy changes and priorities necessary to ensure the reliability, safety, fuel diversity, and affordability of New Hampshire's energy sources, while protecting natural, historic, and aesthetic resources and encouraging local and renewable energy resources. The strategy shall also include consideration of the extent to which demand-side measures including efficiency, conservation, demand response, and load management can cost-effectively meet the state's energy needs, and proposals to increase the use of such demand resources to reduce energy costs and increase economic benefits to the state.

III. The strategy development process shall include review and consideration of relevant studies and plans, including but not limited to those developed by the independent system operator of New England (ISO-NE), the public utilities commission, the energy efficiency and sustainable energy board, legislative study committees and commissions, and other state and regional organizations as appropriate. The strategy shall also include consideration of new technologies and their potential impact on the state's energy future.

4-E:2 New Hampshire State Energy Advisory Council.

I. There is established the New Hampshire state energy advisory council.

(a) Members of the council shall be the following, or his or her designee:

- (1) The director of the office of energy and planning, who shall serve as the chairperson.
- (2) The chairperson of the public utilities commission.
- (3) The commissioner of the department of environmental services.

(b) Legislative members of the council shall be:

- (1) One member of the senate, appointed by the president of the senate.
- (2) One member of the senate, appointed by the senate minority leader.
- (3) One member of the science, technology and energy committee, appointed by the speaker of the house of representatives.
- (4) One member of the science, technology and energy committee, appointed by the house minority leader.
- (5) One member of the house of representatives, appointed jointly by the speaker of the house and the house minority leader.

II. Legislative members may receive mileage for attendance at meetings and hearings of the council.

4-E:3 Public Participation. The state energy advisory council shall provide duly noticed opportunities for public and stakeholder participation in the development of the strategy. In addition, at least 4 duly noticed public hearings shall be held in different regions of the state to seek public input during the development of the energy strategy. Public comment shall be sought by the office of energy and planning, the senate energy and natural resources committee, and the house science, technology and energy committee prior to updating the strategy.

4-E:4 Costs. The office of energy and planning is authorized to expend up to \$200,000 from the energy efficiency portion of the system benefits charge, the renewable energy fund established under RSA 362-F:10, the energy efficiency fund established under RSA 125-O:23, or other funding sources under the jurisdiction of the public utilities commission for the development of the strategy, and may utilize any other sources available to the office necessary to fulfill the requirements of this chapter. The office of energy and planning is encouraged to seek other funding to support the development and updating of the strategy.

4-E:5 Reports. A draft state energy strategy shall be completed no later than May 1, 2014, and shall be provided to the public for comment. A final state energy strategy shall be completed no later than September 1, 2014. The final strategy shall be provided to the governor, the senate president, the speaker of the house of representatives, the chairperson of the senate energy and natural resources committee, the chairperson of the house science, technology and energy committee, and the state library.

5 Repeal. RSA 4-E:2 through RSA 4-E:5, relative to New Hampshire state energy council, is repealed.

6 Effective Date.

12 Section 5 of this act shall take effect December 31, 2014.

II. The remainder of act shall take effect upon its passage.

**SB 14**, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development. **OUGHT TO PASS.**

Rep. Patrick F. Abrami for Ways and Means: The House supported the policy that allows the commissioner of the department of resources and economic development to give authority to municipal officials to utilize summons procedures under RSA 31:39-d to cite individuals for violations of state park administrative rules or forests and lands administrative rules, or both. The committee unanimously agrees that the municipalities shall retain 100 percent of any fine collected. Vote 12-0.

**SB 75**, relative to games of chance. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gilman C. Shattuck for Ways and Means: This is the senate version of the house position on changes to charitable gaming administered by the racing and charitable gaming commission. These

are changes made to the senate bill in this amendment. The committee reversed a senate restriction that only one licensed charitable gaming organization may conduct games of chance at a location on a licensed game date. It requires the full 35 percent of gross revenues, less prizes, be retained by the charitable organization, and allows no fees other than rent of premises to be charged by the game operator. It limits auditing by the commission as required by the senate to records relevant to games of chance. It removes a senate requirement for excessive criminal background checks. It deletes a new prohibition of unauthorized devices, and a bill will be submitted next year to deal with gaming device authorization for all forms of charitable and commercial gaming. It adds the existing house positions increasing the maximum wager for games of chance from \$4 to \$6 and allowing the commission to pay the state treasurer monthly instead of daily. Vote 14-0.

#### Amendment (1952h)

Amend the bill by replacing all after section 1 with the following:

2 New Subparagraph; Application; Game of Chance Facility. Amend RSA 287-D:2-c by inserting after subparagraph (g) the following new subparagraph:

(h) The application shall include a description of the licensed premises.

3 Pari-Mutuel Commission; Reference Changed. Amend RSA 287-D:3, II to read as follows:

II. All devices and equipment used to conduct said games of chance shall be subject to inspection by duly authorized law enforcement or ~~[pari-mutuel]~~ **racing and charitable gaming** officials.

4 Fees. Amend RSA 287-D:3, VI-VIII to read as follows:

VI. Any contract for the rental of a *licensed* facility for a game of chance shall be independent of any contract for the rental of equipment. ***If a charitable organization hires a game operator employer or primary game operator to conduct games of chance on its behalf then the charitable organization shall not pay any fees. Any fees shall be paid by the game operator employer or the primary game operator retained by the charitable organization to conduct games of chance.*** Those contracts shall not be contingent upon the charitable organization's agreement that it will contract with a particular business for a particular facility or equipment.

VII. Unless a charitable organization rents a facility from a game operator employer or a primary game operator licensed under RSA 287-D:2-c, the charitable organization shall only rent a facility by means of a fixed rental payment. The fixed rental payment shall not be based on a percentage of what the charitable organization receives from the game of chance and it shall reflect fair rental value of the property for any use not just as a place to hold a game of chance. If a charitable organization rents, *leases, or uses a licensed* facility from a licensed game operator under RSA 287-D:2-c, the charitable organization shall retain no less than 35 percent of the gross revenues from any games of chance minus any prizes paid in accordance with RSA 287-D:3, VIII ***and exclusive of all rental or lease payment.*** Any rental, *lease, or use* agreement entered into by the charitable organization shall be submitted with the charitable organization's license application for review by the racing and charitable gaming commission. Under no circumstances shall a charitable organization sustain any loss from games of chance, such that its share of the gross revenues minus any prizes paid is less than zero dollars, during a license period with a single game operator. All contracts between a game operator employer and a charitable organization to conduct games of chance, ***and any contracts between a charitable organization and a licensed facility holder or licensed facility owner*** under this chapter shall contain the following language: "This agreement represents the entire agreement between the parties hereto. No charge or fee of any kind that is not contained in this agreement shall be paid by the charity."

VIII. The charitable organization shall retain no less than 35 percent of the gross revenues from any game of chance minus any prizes paid on any game date in which game operators licensed under RSA 287-D:2-c are involved in any capacity. Such revenues shall be used by the organization to advance its charitable purpose. No fee for any service which is required by or provided by the game operator employer or primary game operator shall be allowed unless such fee is agreed to in writing and ~~[disclosed to]~~ ***approved by*** the commission as part of the agreement between the game operator employer or primary game operator and the charity. ***A game operator employer or primary game operator, hired by a charitable organization to conduct games of chance on its behalf, shall not charge or assess any fees, to the charitable organization for the providing of any services or the collection of any reimbursements including but not limited to any accounting fees, any administrative fees, any advertising fees, any financial paperwork fees, any marketing fees, or any law enforcement or security fees.***

5 Financial Report and Audit. Amend RSA 287-D:5, VI to read as follows:

VI. All financial records pertaining to the games of chance shall be maintained by the treasurer of the charitable organization or other duly authorized director, officer, or official of the charitable organization and shall be made available to the racing and charitable gaming commission, the attorney general or the chief of police of any city or town where games of chance are held upon request. The racing and charitable gaming commission may audit ~~[such financial records]~~ *review or inspect any and all financial records, books, documentation, and bank accounts in the name of the charitable organization that pertain to games of chance.*

6 Transfer to Special Fund. Amend RSA 287-D:3, IX-X to read as follows:

IX. In games where chips have no monetary value, 3 percent of all funds collected from players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer to be deposited into the ~~[general]~~ *special fund established in RSA 284:21-j*. Such payments shall be made ~~[within 5 business days of the game date on which the funds were collected:]~~ *once per month not later than the 5th day of the month for the funds collected in the previous month.*

X. In games where chips have monetary value, 10 percent of the rake or house winnings and other moneys collected by the game operator that are not paid out as prizes to players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer for deposit into the ~~[general fund]~~ *special fund established in RSA 284:21-j*. Such payments shall be made ~~[within 5 business days of the game date on which the funds were collected]~~ *once per month not later than the 5th day of the month for the funds collected in the previous month.*

7 Transfer to Special Fund. Amend RSA 284:12-a, II to read as follows:

II. Investigation fees shall be collected by the commission and shall be continually appropriated to the commission and used by the commission to offset the costs of conducting background checks and monitoring of license applicants and licensees as required under this section, RSA 284:16, RSA 284:16-a, RSA 284:18-a, RSA 284:19, RSA 284:20, RSA 284:20-b, RSA 284:22, and RSA 284:22-a. Funds received hereunder and not expended for such investigations shall lapse to the ~~[general]~~ *special fund established in RSA 284:21-j* 2 years after receipt of such funds.

8 Transfer to Special Fund. Amend RSA 284:31 to read as follows:

284:31 Unclaimed Ticket Money. On or before January 31 of each year every person, association, or corporation conducting a race or race meet, whether live racing or simulcast racing, hereunder shall pay to the state treasurer all moneys collected during the previous year of pari-mutuel pool tickets and vouchers which have not been redeemed. The books or records of said person, association, or corporation, which clearly show the tickets entitled to reimbursement in any given race, live or simulcast, shall be forwarded to the commission. Such moneys shall become a part of the ~~[general funds of the state]~~ *special fund established in RSA 284:21-j*. The state treasurer shall pay the amount due on any ticket or voucher to the holder thereof from funds not otherwise appropriated upon an order from the commission. Pari-mutuel tickets and vouchers which remain unclaimed after 11 months shall not be paid. Vouchers shall be remitted to the state treasurer on January 31 of the calendar year, 24 months after the year of the unclaimed voucher.

9 Transfer to Special Fund. Amend RSA 284:32-b, I to read as follows:

I. Every person, association or corporation required to submit an annual statement pursuant to RSA 284:15-b or an annual financial report pursuant to RSA 284:32-a who fails to submit such statement or report within the required time period shall be subject to a civil forfeiture of up to \$500 for each day of a continuing violation. Civil forfeitures shall be levied under this section by the state racing and charitable gaming commission, shall be collected by the attorney general, and shall be deposited in the ~~[general fund as unrestricted revenue]~~ *special fund established in RSA 284:21-j*. Such civil penalty shall be in addition to and not a substitute for any other civil or criminal penalty provided by law, including RSA 284:21.

10 Wager Limit. Amend RSA 287-D:3, V to read as follows:

V. No single wager by a player, on any game of chance, shall exceed the amount of ~~[\$4]~~ *\$6*.

11 Repeal. RSA 287-D:2-b, II-a, relative to reimbursement of game operator's out-of-pocket expenses, is repealed.

12 Effective Date. This act shall take effect January 1, 2014.

**SB 134-FN**, relative to the division of higher education and the higher education commission.  
**ought to pass.**

Rep. David B. Karrick for Ways and Means: This bill cleans up loose ends from the transfer of the post-secondary education commission to a division of the department of education last term. Ways and Means is only concerned with the revenue aspects of this bill. Fees and activities have not changed with the two dedicated funds that were in irregular status hereby merged in the higher education fund. Vote 12-1.

**SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags. **OUGHT TO PASS.**

Rep. Frank V. Sapareto for Ways and Means: SB 155 creates a means to raise much needed funds to preserve and restore the irreplaceable battle flags in the Hall of Flags. The NH liquor commission will sell a special commemorative bottle that will generate the customary profit but include additional profit of about \$7.00 per bottle that will go to a special fund (already in existence) to pay for flag restoration. These flags are treasures that are being destroyed by time. We can't afford to wait any longer to preserve them. Vote 13-0.

## REGULAR CALENDAR

### SPECIAL ORDER

**SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate. **OUGHT TO PASS.**

Rep. Candace C. W. Bouchard for Transportation: The majority of the committee voted to honor and respect the request from the Region 1 Commander and Adjutant of the Military Order of the Purple Heart (MOPH). Region 1 is the order that represents New Hampshire. Also, the voting member representing MOPH on the State Veterans' Advisory Council voted in favor of passing this bill. Passing this bill will not set a unique precedent. Currently the spouses of Prisoners of War and Pearl Harbor survivors are allowed, upon death of their spouse for as long as he/she lives, unless he/she remarries, to keep the veteran's license plate. Passing this bill would allow the surviving spouse of a Purple Heart Veteran the same respect. The surviving spouse would still have to pay all required registration fees. New Hampshire is the only New England state that does not allow the surviving spouse to retain the Purple Heart license plate. Nationwide there are more than 30 states that allow the surviving spouse to keep the plate. Passing this bill is an honorable show of support to our state's combat wounded. Vote 13-4.

### MOTION TO LAY ON THE TABLE

Rep. Baldasaro moved that **SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate, be laid on the table.

Rep. Bouchard requested a roll call; sufficiently seconded.

**YEAS 155 NAYS 188**

### YEAS 155

#### BELKNAP

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fink, Charles
Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen	Sylvia, Michael
Tilton, Franklin	Vadney, Herbert	Worsman, Colette	

#### CARROLL

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Lavender, Tom
McConkey, Mark	Morrow, Harry	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Donald		

#### CHESHIRE

Burridge, Delmar	Hunt, John	Johnson, Jane	Parkhurst, Henry
Roberts, Kris	Shepardson, Marjorie		

#### COOS

Hammon, Marcia	Rappaport, Laurence	Richardson, Herbert
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**GRAFTON**

Bailey, Brad  
Gionet, Edmond

Bradley, Lester  
Ladd, Rick Jr

Brown, Rebecca  
Massimilla, Linda

Doolan, Ralph Jr  
Reilly, Harold Sr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Kurk, Neal  
LeVasseur, Richard  
Meaney, Richard  
Notter, Jeanine  
Parison, James  
Rowe, Robert  
Souza, Kathleen  
Ulery, Jordan

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Gargas, Carolyn  
Hikel, John  
Lambert, George  
Marston, Dick  
Murotake, David  
O'Brien, William  
Pellegrino, Tony  
Sanborn, Laurie  
Straight, Philip  
Villeneuve, Moe

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Graham, John  
Hopper, Gary  
LeBrun, Donald  
McCloskey, David  
Murphy, Keith  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Warden, Mark

Burt, John  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Jasper, Shawn  
Leishman, Peter  
McNamara, Richard  
Murphy, Kelleigh  
Palmer, Stephen  
Pratt, Calvin  
Shaw, Barbara  
Takesian, Charlene  
Willette, Robert

**MERRIMACK**

Hess, David  
Ratzki, Mario

Kotowski, Frank

Lockwood, Priscilla

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Charron, Gene  
DeSimone, Debra  
Emerick, J. Tracy  
Griffin, Mary  
Hodgdon, Bruce  
Kolodziej, Walter  
Nigrello, Robert  
Rice, Frederick  
Schroadter, Adam  
Sytek, John  
Tucker, Pamela

Baldasaro, Alfred  
Chirichiello, Brian  
Devine, James  
Ferrante, Beverly  
Hagan, Joseph  
Hoelzel, Kathleen  
Major, Norman  
O'Connor, John  
Sanders, Elisabeth  
Sedensky, John  
Tamburello, Daniel  
Waterhouse, Kevin

Bick, Patrick  
Copeland, Timothy  
Duarte, Joe  
Garcia, Bianca  
Harris, Jeffrey  
Kappler, Lawrence  
McMahon, Charles  
Peckham, Michele  
Sapareto, Frank  
St.James, Kevin  
Thompson, David  
Webb, James Sr

Birdsell, Regina  
Danais, Romeo  
Elliott, Robert  
Grace, Curtis  
Hayes, Jack  
Khan, Aboul  
Milz, David  
Priestley, Anne  
Scarlotta, Joe  
Sweeney, Joe  
Tremblay, Stella  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Spainhower, Dale

Bickford, David  
Mullen, John Jr

Bixby, Peter  
Pitre, Joseph

Gray, James  
Rollo, Deanna

**SULLIVAN**

Grenier, James

Rollins, Skip

Smith, Steven

**NAYS 188****BELKNAP**

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Crawford, Karel

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Emerson, Susan  
Robertson, Timothy

Berch, Paul  
Johnsen, Gladys  
Sad, Tara

Butynski, William  
Ley, Douglas  
Weber, Lucy

Chase, Cynthia  
Mann, John  
Weed, Charles

**COOS**

Coulombe, Gary  
Theberge, Robert

Enman, Larry

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
Townsend, Charles

Benn, Bernard  
Harding, Laurie  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Nordgren, Sharon  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Chandley, Shannon  
Dobson, Jeremy  
Garcia, Michael  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeudy, Jean  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Flaherty, Tim  
Rosenwald, Cindy  
Spratt, Stephen  
Williams, Kermit

Beaulieu, Jane  
Connor, Evelyn  
Eaton, Richard  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kelley, John  
Levesque, Melanie  
McCarthy, Michael  
Porter, Marjorie  
Schmidt, Janice  
Sullivan, Peter  
Winters, Joel

Campbell, David  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Infantine, William  
Knowles, Mary Ann  
Long, Patrick  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Vaillancourt, Steve  
Woodbury, David

Carroll, Douglas  
DiSilvestro, Linda  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
MacKay, Mariellen  
O'Brien, Michael Sr  
Rhodes, Brian  
Soucy, Timothy  
Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walsh, Thomas IV

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hoell, J.R.  
MacKay, James  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
McGuire, Dan  
Reed, Dennis  
Schamberg, Thomas  
Wallner, Mary Jane  
Webb, Leigh

**ROCKINGHAM**

Allen, Mary  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Introne, Robert  
Mann, Maureen  
Packard, Sherman  
Till, Mary

Borden, David  
Comerford, Timothy  
Flockhart, Eileen  
Itse, Daniel  
McKinney, Betsy  
Pantelakos, Laura  
Ward, Gerald

Briden, Steven  
Cushing, Robert Jr  
Garcia, Marilinda  
Lovejoy, Patricia  
Moody, Marcia  
Schlachman, Donna  
Whittemore, Lisa

Cahill, Michael  
Dumaine, Dudley  
Heffron, Frank  
Lundgren, David  
Muns, Chris  
Sherman, Thomas

**STRAFFORD**

Baber, William  
Ginsburg, Philip  
Hubbard, Pamela  
Malloy, Dennis  
Schmidt, Peter  
Verschuieren, James

Burdwood, Greg  
Grassie, Anne  
Jones, Laura  
Pelletier, Marsha  
Smith, Marjorie  
Wall, Janet

Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Spang, Judith

Gardner, Janice  
Horrigan, Timothy  
Ketel, Stephen  
Rogers, Rose Marie  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Sweeney, Cynthia  
and the motion failed.

Gagnon, Raymond  
Tanner, Linda

Gottling, Suzanne

Schmidt, Andrew

The question now being adoption of the committee report of Ought to Pass.  
Rep. O'Flaherty offered floor amendment (1993h).

### **Floor Amendment (1993h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to a surviving spouse's right to retain a Purple Heart plate and establishing the New Hampshire liberty act.

Amend the bill by replacing all after section 1 with the following:

#### **2 Findings.**

I. The legislature finds that the enactment into law by the United States Congress of Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, Public Law Number 112-81, is inimical to the liberty, security, and well-being of the people of New Hampshire, and was adopted by the United States Congress in violation of the limits of federal power in United States Constitution.

II. The legislature finds that, together, Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, as they purport to authorize (i) detainment of persons captured within the United States of America without charge, (ii) military tribunals for persons captured within the United States of America, and (iii) the transfer of persons captured within the United States of America to foreign jurisdictions, are violative of the following rights enshrined in the Constitution of the United States of America:

- (a) Article I, Section 9, Clause 2's right to seek writ of habeas corpus;
- (b) The First Amendment's right to petition the government for a redress of grievances;
- (c) The Fourth Amendment's right to be free from unreasonable searches and seizures;
- (d) The Fifth Amendment's right to be free from charge for an infamous or capital crime until presentment or indictment by a grand jury;
- (e) The Fifth Amendment's right to be free from deprivation of life, liberty, or property, without due process of law;
- (f) The Sixth Amendment's right in criminal prosecutions to enjoy a speedy trial by an impartial jury in the state and district where the crime shall have been committed;
- (g) The Sixth Amendment's right to be informed of the nature and cause of the accusation;
- (h) The Sixth Amendment's right to confront witnesses;
- (i) The Sixth Amendment's right to counsel;
- (j) The Eighth Amendment's right to be free from excessive bail and fines, and cruel and unusual punishment; and
- (k) The Fourteenth Amendment's right to be free from deprivation of life, liberty, or property, without due process of law.

III. The legislature finds that, together, Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012, as they purport to authorize (i) detainment of persons captured within the United States of America without charge, (ii) military tribunals for persons captured within the United States of America, and (iii) the transfer of persons captured within the United States of America to foreign jurisdictions, violate the following Articles of the Constitution of New Hampshire:

(a) Part I, Article 7, which provides: the people of this state have the sole and exclusive right of governing themselves as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not, or may not hereafter be, by them expressly delegated to the United States of America in Congress assembled; and

(b) Part I, Article 10, which provides: government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men; therefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to reform the old, or establish a new government.

3 New Chapter; New Hampshire Liberty Act. Amend RSA by inserting after chapter 646-A the following new chapter:



**CHAPTER 646-B  
NEW HAMPSHIRE LIBERTY ACT**

646-B:1 Support of National Defense Authorization Act Prohibited. The state of New Hampshire shall not provide material support or participate in any way with the implementation of Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012 within the boundaries of this state. The department of safety is hereby directed to report to the governor and the legislature any attempt by agencies or agents of the United States government to secure the implementation of Sections 1021 and 1022 of the National Defense Authorization Act for Fiscal Year 2012 through the operations of that or any other state department.

4 Lawsuit Challenging the National Defense Authorization Act for Fiscal Year 2012. The general court urges the attorney general to initiate or support any lawsuit challenging the constitutionality of the detention provisions of the National Defense Authorization Act for Fiscal Year 2012.

5 Effective Date.

I. Section 1 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill entitles a surviving spouse to retain a Purple Heart plate.

This bill establishes the New Hampshire liberty act. The bill prohibits the state from supporting or implementing 2 sections of the National Defense Authorization Act for Fiscal Year 2012, pertaining to the authority of the United States armed services to detain persons suspected of terrorism.

Reps. O'Flaherty and Lambert spoke in favor and yielded to questions.

Reps. Sylvia and Itse spoke in favor.

Rep. Michael O'Brien spoke against.

Rep. Baldasaro spoke against and yielded to questions.

Rep. Lambert requested a roll call; sufficiently seconded.

**YEAS 111 NAYS 236**

**YEAS 111  
BELKNAP**

Burchell, Richard  
Greemore, Robert Jr  
Worsman, Colette

Comtois, Guy  
Holmes, Stephen

Cormier, Jane  
Sylvia, Michael

Fink, Charles  
Vadney, Herbert

**CARROLL**

Cordelli, Glenn

Nelson, Bill

White, Syndi

Wright, Donald

**CHESHIRE**

Parkhurst, Henry

Roberts, Kris

Weed, Charles

**COOS**

None

**GRAFTON**

Bailey, Brad

Doolan, Ralph Jr

**HILLSBOROUGH**

Belanger, James  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
Murphy, Keith  
O'Flaherty, Tim  
Parison, James  
Sandblade, Emily  
Villeneuve, Moe

Boehm, Ralph  
Daniels, Gary  
Garcia, Michael  
Heden, Ruth  
Jack, Martin  
Levasseur, Nickolas  
Murphy, Kelleigh  
Ober, Lynne  
Peterson, Lenette  
Souza, Kathleen  
Warden, Mark

Burt, John  
Danielson, David  
Gidge, Kenneth  
Hikel, John  
Kurk, Neal  
Meaney, Richard  
Notter, Jeanine  
Ober, Russell III  
Pratt, Calvin  
Ulery, Jordan  
Winters, Joel

Christiansen, Lars  
Dobson, Jeremy  
Hackel, Paul  
Hopper, Gary  
Lambert, George  
Murotake, David  
O'Brien, William  
Palmer, Stephen  
Sanborn, Laurie  
Vaillancourt, Steve

**MERRIMACK**

Hirsch, Geoffrey  
Ratzki, Mario

Hoell, J.R.

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Allen, Mary  
Chirichiello, Brian  
Duarte, Joe  
Griffin, Mary  
Itse, Daniel  
McMahon, Charles  
Sanders, Elisabeth  
Sweeney, Joe  
Tremblay, Stella  
Whittemore, Lisa

Baldasaro, Alfred  
Comerford, Timothy  
Emerick, J. Tracy  
Hagan, Joseph  
Kappler, Lawrence  
Milz, David  
Schroadter, Adam  
Tamburello, Daniel  
Tucker, Pamela

Bick, Patrick  
Danais, Romeo  
Ferrante, Beverly  
Hodgdon, Bruce  
Kolodziej, Walter  
Nigrello, Robert  
Sedensky, John  
Thompson, David  
Waterhouse, Kevin

Briden, Steven  
DeSimone, Debra  
Grace, Curtis  
Hoelzel, Kathleen  
Major, Norman  
Rice, Frederick  
St.James, Kevin  
Till, Mary  
Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
Horrigan, Timothy

Bickford, David  
Jones, Laura

Groen, Warren  
Pitre, Joseph

Grossman, Kenneth

**SULLIVAN**

Grenier, James

**NAYS 236****BELKNAP**

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Luther, Robert

Flanders, Donald  
Raymond, Ian

Gulick, Ruth  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
Ticehurst, Susan

Butler, Edward  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Sad, Tara

Berch, Paul  
Emerson, Susan  
Ley, Douglas  
Shepardson, Marjorie

Burridge, Delmar  
Hunt, John  
Mann, John  
Tatro, Bruce

Butynski, William  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Theberge, Robert

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Connor, Evelyn  
Flanagan, Jack  
Goley, Jeffrey

Barry, Richard  
Cebrowski, John  
Cote, David  
Gage, Ruth  
Gorman, Mary

Beaulieu, Jane  
Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda

Byron, Frank  
Coffey, James  
Eaton, Richard  
Gargas, Carolyn  
Graham, John

Haefner, Robert  
 Jasper, Shawn  
 Kopka, Angeline  
 Long, Patrick  
 Martel, Andre  
 Nelson, Mary  
 Ramsey, Peter  
 Schmidt, Janice  
 Spratt, Stephen  
 Takesian, Charlene  
 Woodbury, David

Hammond, Jill  
 Jeudy, Jean  
 Leishman, Peter  
 MacKay, Mariellen  
 McCarthy, Michael  
 O'Brien, Michael Sr  
 Rhodes, Brian  
 Shattuck, Gilman  
 Straight, Philip  
 Walsh, Robert Jr

Hansberry, Daniel  
 Kelley, John  
 LeVasseur, Richard  
 Manley, Jonathan Sr  
 McCloskey, David  
 Pellegrino, Tony  
 Rosenwald, Cindy  
 Shaw, Barbara  
 Stroud, Kathleen  
 Willette, Robert

Harriott-Gathright, Linda  
 Knowles, Mary Ann  
 Levesque, Melanie  
 Marston, Dick  
 McNamara, Richard  
 Porter, Marjorie  
 Rowe, Robert  
 Soucy, Timothy  
 Sullivan, Peter  
 Williams, Kermit

### MERRIMACK

Alicea, Caroletta  
 Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Kidder, David  
 Moffett, Howard  
 Rice, Chip  
 Schuett, Dianne  
 Walsh, Thomas IV

Andrews, Christopher  
 Carey, Lorrie  
 Frambach, Mary  
 Hess, David  
 Kotowski, Frank  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walz, Mary Beth

Bartlett, Christy  
 Carson, Clyde  
 Frazer, June  
 Hunt, Jane  
 Lockwood, Priscilla  
 Patten, Dick  
 Rogers, Katherine  
 Tilton, Joy  
 Watrous, Rick

Bouchard, Candace  
 Davis, Frank  
 French, Barbara  
 Karrick, David Jr  
 MacKay, James  
 Reed, Dennis  
 Schamberg, Thomas  
 Wallner, Mary Jane  
 Webb, Leigh

### ROCKINGHAM

Abrami, Patrick  
 Cahill, Michael  
 Cushing, Robert Jr  
 Emerson-Brown, Rebecca  
 Harris, Jeffrey  
 Khan, Aboul  
 McKinney, Betsy  
 Packard, Sherman  
 Sapareto, Frank  
 Sytek, John

Belanger, Ronald  
 Cali-Pitts, Jacqueline  
 Devine, James  
 Flockhart, Eileen  
 Hayes, Jack  
 Lovejoy, Patricia  
 Moody, Marcia  
 Pantelakos, Laura  
 Scarlotto, Joe  
 Ward, Gerald

Birdsell, Regina  
 Charron, Gene  
 Dumaine, Dudley  
 Garcia, Bianca  
 Heffron, Frank  
 Lundgren, David  
 Muns, Chris  
 Peckham, Michele  
 Schlachman, Donna  
 Webb, James Sr

Borden, David  
 Copeland, Timothy  
 Elliott, Robert  
 Garcia, Marilinda  
 Introne, Robert  
 Mann, Maureen  
 O'Connor, John  
 Priestley, Anne  
 Sherman, Thomas

### STRAFFORD

Baber, William  
 Gardner, Janice  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Bixby, Peter  
 Ginsburg, Philip  
 Kaen, Naida  
 Mullen, John Jr  
 Rollo, Deanna  
 Spang, Judith

Burdwood, Greg  
 Grassie, Anne  
 Ketel, Stephen  
 Pelletier, Marsha  
 Schmidt, Peter  
 Stevens, Audrey

Burke, Rachel  
 Gray, James  
 Malloy, Dennis  
 Perry, Robert  
 Smith, Marjorie  
 Verschueren, James

### SULLIVAN

Cloutier, John  
 Schmidt, Andrew  
 and floor amendment (1993h) failed.

Gagnon, Raymond  
 Smith, Steven

Gottling, Suzanne  
 Sweeney, Cynthia

Rollins, Skip  
 Tanner, Linda

The question now being adoption of the committee report of Ought to Pass.

Rep. Cebrowski spoke against.

Reps. Kris Roberts and Frederick Rice spoke against and yielded to questions.

### MOTION TO LAY ON THE TABLE

Rep. Lambert moved that **SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate, be laid on the table.

Rep. Bouchard requested a roll call; sufficiently seconded.

**YEAS 161 NAYS 185****YEAS 161****BELKNAP**

Burchell, Richard  
Flanders, Donald  
Vadney, Herbert

Comtois, Guy  
Greemore, Robert Jr  
Worsman, Colette

Cormier, Jane  
Sylvia, Michael

Fink, Charles  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Ticehurst, Susan

Buco, Thomas  
Merrow, Harry  
Umberger, Karen

Chandler, Gene  
Nelson, Bill  
White, Syndi

Cordelli, Glenn  
Schmidt, Stephen  
Wright, Donald

**CHESHIRE**

Burridge, Delmar

Hunt, John

Parkhurst, Henry

Roberts, Kris

**COOS**

Enman, Larry

Rappaport, Laurence

**GRAFTON**

Bradley, Lester  
Lovett, Sid

Brown, Rebecca  
Reilly, Harold Sr

Doolan, Ralph Jr  
Townsend, Charles

Gionet, Edmond

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gargas, Carolyn  
Hansen, Peter  
Kurk, Neal  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Parison, James  
Rowe, Robert  
Shaw, Barbara  
Ulery, Jordan

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Grady, Brenda  
Hikel, John  
Lambert, George  
Marston, Dick  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Souza, Kathleen  
Warden, Mark

Boehm, Ralph  
Christiansen, Lars  
Gagne, Larry  
Graham, John  
Hopper, Gary  
LeBrun, Donald  
Martel, Andre  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Straight, Philip  
Willette, Robert

Burt, John  
Coffey, James  
Garcia, Michael  
Haefner, Robert  
Jasper, Shawn  
Levasseur, Nickolas  
Meaney, Richard  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Schmidt, Janice  
Takesian, Charlene

**MERRIMACK**

Hess, David  
McGuire, Carol

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank  
Patten, Dick

Lockwood, Priscilla  
Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick  
Briden, Steven  
Copeland, Timothy  
Duarte, Joe  
Garcia, Bianca  
Hagan, Joseph  
Hoelzel, Kathleen  
Major, Norman  
O'Connor, John  
Sapareto, Frank  
St.James, Kevin  
Till, Mary  
Waterhouse, Kevin

Allen, Mary  
Cali-Pitts, Jacqueline  
Dana, Romeo  
Elliott, Robert  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
McKinney, Betsy  
Priestley, Anne  
Scarlott, Joe  
Sweeney, Joe  
Tremblay, Stella  
Webb, James Sr

Baldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Emerick, J. Tracy  
Grace, Curtis  
Hayes, Jack  
Kappler, Lawrence  
McMahon, Charles  
Rice, Frederick  
Schroadter, Adam  
Sytek, John  
Tucker, Pamela  
Weyler, Kenneth

Birdsell, Regina  
Comerford, Timothy  
Devine, James  
Ferrante, Beverly  
Griffin, Mary  
Hodgdon, Bruce  
Kolodziej, Walter  
Milz, David  
Sanders, Elisabeth  
Sedensky, John  
Tamburello, Daniel  
Ward, Gerald

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Rollo, Deanna

Bickford, David  
Grossman, Kenneth  
Spainhower, Dale

Bixby, Peter  
Menear, H. Robert III

Gray, James  
Pitre, Joseph

**SULLIVAN**

Gagnon, Raymond  
Smith, Steven

Grenier, James  
Tanner, Linda

Irwin, Virginia

Rollins, Skip

**NAYS 185****BELKNAP**

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Luther, Robert

Gulick, Ruth  
Raymond, Ian

Holmes, Stephen

**CARROLL**

Butler, Edward

Crawford, Karel

Lavender, Tom

**CHESHIRE**

Ames, Richard  
Emerson, Susan  
Mann, John  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnson, Jane  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Ley, Douglas  
Shepardson, Marjorie

**COOS**

Hammon, Marcia  
Theberge, Robert

Hatch, William

Moynihan, Wayne

Richardson, Herbert

**GRAFTON**

Aguiar, James  
Ford, Susan  
Ladd, Rick Jr  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey

**HILLSBOROUGH**

Backus, Robert  
Chandley, Shannon  
Danielson, David  
Gage, Ruth  
Gorman, Mary  
Harriott-Gathright, Linda  
Judy, Jean  
Leishman, Peter  
Manley, Jonathan Sr  
Nelson, Mary  
Ramsey, Peter  
Soucy, Timothy  
Vaillancourt, Steve  
Winters, Joel

Beaulieu, Jane  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Hackel, Paul  
Heden, Ruth  
Kelley, John  
Levesque, Melanie  
McCarthy, Michael  
O'Brien, Michael Sr  
Rhodes, Brian  
Spratt, Stephen  
Villeneuve, Moe  
Woodbury, David

Campbell, David  
Cote, David  
Dobson, Jeremy  
Gidge, Kenneth  
Hammond, Jill  
Infantine, William  
Knowles, Mary Ann  
Long, Patrick  
McCloskey, David  
O'Flaherty, Tim  
Rosenwald, Cindy  
Stroud, Kathleen  
Walsh, Robert Jr

Carroll, Douglas  
Daniels, Gary  
Eaton, Richard  
Goley, Jeffrey  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Peter  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Ratzki, Mario  
Rogers, Katherine  
Tilton, Joy

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
MacKay, James  
Reed, Dennis  
Schamberg, Thomas  
Wallner, Mary Jane

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

**ROCKINGHAM**

Belanger, Ronald	Bick, Patrick	Borden, David	Cahill, Michael
Charron, Gene	Cushing, Robert Jr	Dumaine, Dudley	Emerson-Brown, Rebecca
Flockhart, Eileen	Heffron, Frank	Introne, Robert	Khan, Aboul
Lovejoy, Patricia	Lundgren, David	Mann, Maureen	Moody, Marcia
Muns, Chris	Nigrello, Robert	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Schlachman, Donna	Sherman, Thomas	Whittemore, Lisa

**STRAFFORD**

Baber, William	Berube, Roger	Burdwood, Greg	Burke, Rachel
Gardner, Janice	Ginsburg, Philip	Grassie, Anne	Horrigan, Timothy
Hubbard, Pamela	Jones, Laura	Kaen, Naida	Ketel, Stephen
Malloy, Dennis	Mullen, John Jr	Pelletier, Marsha	Perry, Robert
Rogers, Rose Marie	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Stevens, Audrey	Wall, Janet		

**SULLIVAN**

Cloutier, John	Gottling, Suzanne	Schmidt, Andrew	Sweeney, Cynthia
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and the motion failed.

The question now being adoption of the committee report of Ought to Pass.

Rep. Frederick Rice yielded to questions.

Rep. Dumaine spoke in favor and yielded to questions.

Rep. Bouchard spoke in favor and requested a roll call; sufficiently seconded.

**YEAS 188 NAYS 158****YEAS 188****BELKNAP**

DiMartino, Lisa	Fields, Dennis	Greemore, Robert Jr	Gulick, Ruth
Huot, David	Raymond, Ian		

**CARROLL**

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Crawford, Karel
Schmidt, Stephen	Ticehurst, Susan	White, Syndi	

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Emerson, Susan	Hunt, John	Johnsen, Gladys
Ley, Douglas	Mann, John	Robertson, Timothy	Sad, Tara
Tatro, Bruce	Weber, Lucy	Weed, Charles	

**COOS**

Hammon, Marcia	Hatch, William	Moynihan, Wayne
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**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Harding, Laurie
Higgins, Patricia	Ladd, Rick Jr	Lauer, Linda	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy	Shackett, Jeffrey
Smith, Suzanne	Sykes, George	Townsend, Charles	White, Andrew

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Campbell, David	Carroll, Douglas
Chandley, Shannon	Christiansen, Lars	Connor, Evelyn	Cote, David
DiSilvestro, Linda	Dobson, Jeremy	Eaton, Richard	Flanagan, Jack
Gage, Ruth	Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Hansberry, Daniel	Harriott-Gathright, Linda	Heden, Ruth
Infantine, William	Jack, Martin	Judy, Jean	Kelley, John

Knowles, Mary Ann  
MacKay, Mariellen  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Peter  
Williams, Kermit

Kopka, Angeline  
McCarthy, Michael  
O'Flaherty, Tim  
Rosenwald, Cindy  
Soucy, Timothy  
Vaillancourt, Steve  
Woodbury, David

Levesque, Melanie  
Murotake, David  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Long, Patrick  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Straight, Philip  
Warden, Mark

### MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
MacKay, James  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
McGuire, Dan  
Ratzki, Mario  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Moffett, Howard  
Reed, Dennis  
Schamberg, Thomas  
Wallner, Mary Jane

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

### ROCKINGHAM

Allen, Mary  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Introne, Robert  
McKinney, Betsy  
Schlachman, Donna  
Ward, Gerald

Borden, David  
Charron, Gene  
Ferrante, Beverly  
Lovejoy, Patricia  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

Briden, Steven  
Cushing, Robert Jr  
Flockhart, Eileen  
Major, Norman  
Packard, Sherman  
Sweeney, Joe

Cahill, Michael  
Dumaine, Dudley  
Heffron, Frank  
Mann, Maureen  
Pantelakos, Laura  
Tremblay, Stella

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie

Beaudoin, Steven  
Gardner, Janice  
Horrigan, Timothy  
Ketel, Stephen  
Rogers, Rose Marie  
Spang, Judith

Berube, Roger  
Ginsburg, Philip  
Hubbard, Pamela  
Malloy, Dennis  
Rollo, Deanna  
Stevens, Audrey

Burdwood, Greg  
Grassie, Anne  
Jones, Laura  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

### SULLIVAN

Cloutier, John

Gottling, Suzanne

Grenier, James

### NAYS 158

### BELKNAP

Burchell, Richard  
Flanders, Donald  
Tilton, Franklin

Comtois, Guy  
Holmes, Stephen  
Vadney, Herbert

Cormier, Jane  
Luther, Robert  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

### CARROLL

Chandler, Gene  
Merrow, Harry

Cordelli, Glenn  
Nelson, Bill

Lavender, Tom  
Umberger, Karen

McConkey, Mark  
Wright, Donald

### CHESHIRE

Johnson, Jane

Parkhurst, Henry

Roberts, Kris

Shepardson, Marjorie

### COOS

Enman, Larry

Rappaport, Laurence

Richardson, Herbert

### GRAFTON

Bradley, Lester  
Massimilla, Linda

Doolan, Ralph Jr  
Reilly, Harold Sr

Gionet, Edmond

Lovett, Sid

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Coffey, James	Culbert, Patrick
Daniels, Gary	Danielson, David	Gagne, Larry	Garcia, Michael
Gargas, Carolyn	Grady, Brenda	Graham, John	Hackel, Paul
Haefner, Robert	Hammond, Jill	Hansen, Peter	Hikel, John
Hopper, Gary	Jasper, Shawn	Kurk, Neal	Lambert, George
LeBrun, Donald	Leishman, Peter	Levasseur, Nickolas	LeVasseur, Richard
Manley, Jonathan Sr	Marston, Dick	Martel, Andre	McCloskey, David
McNamara, Richard	Meaney, Richard	Murphy, Keith	Murphy, Kelleigh
Notter, Jeanine	O'Brien, William	Ober, Lynne	Ober, Russell III
Palmer, Stephen	Parison, James	Pellegrino, Tony	Peterson, Lenette
Pratt, Calvin	Rowe, Robert	Sanborn, Laurie	Sandblade, Emily
Souza, Kathleen	Stroud, Kathleen	Takesian, Charlene	Ulery, Jordan
Villeneuve, Moe	Willette, Robert	Winters, Joel	

**MERRIMACK**

Bartlett, Christy	Hess, David	Hoell, J.R.	Kotowski, Frank
Lockwood, Priscilla	McGuire, Carol		

**ROCKINGHAM**

Abrami, Patrick	Baldasaro, Alfred	Belanger, Ronald	Bick, Patrick
Birdsell, Regina	Chirichiello, Brian	Comerford, Timothy	Copeland, Timothy
Dana, Romeo	DeSimone, Debra	Devine, James	Duarte, Joe
Elliott, Robert	Emerick, J. Tracy	Garcia, Bianca	Garcia, Marilinda
Grace, Curtis	Griffin, Mary	Hagan, Joseph	Harris, Jeffrey
Hayes, Jack	Hodgdon, Bruce	Hoelzel, Kathleen	Itse, Daniel
Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter	Lundgren, David
McMahon, Charles	Milz, David	Muns, Chris	Nigrello, Robert
O'Connor, John	Peckham, Michele	Priestley, Anne	Rice, Frederick
Sanders, Elisabeth	Sapareto, Frank	Scarlott, Joe	Schroadter, Adam
Sedensky, John	St.James, Kevin	Sytek, John	Tamburello, Daniel
Thompson, David	Till, Mary	Tucker, Pamela	Waterhouse, Kevin
Webb, James Sr	Weyler, Kenneth		

**STRAFFORD**

Bickford, David	Bixby, Peter	Gray, James	Groen, Warren
Menear, H. Robert III	Mullen, John Jr	Pitre, Joseph	Spainhower, Dale

**SULLIVAN**

Gagnon, Raymond	Irwin, Virginia	Rollins, Skip	Schmidt, Andrew
Smith, Steven	Sweeney, Cynthia	Tanner, Linda	

and the committee report was adopted and ordered to third reading.

The House recessed at 1:00 p.m.

**RECESS**

The House reconvened at 2:30 p.m.

**(Speaker Norelli in the Chair)****SENATE MESSAGES****REQUESTS CONCURRENCE WITH AMENDMENTS**

**HB 261-FN**, relative to the assistance program for 2-parent families with dependent children.  
(Amendment printed SJ 5-30-13)

Rep. James MacKay moved that the House concur and spoke in favor.

Adopted.



**HB 481-FN**, limiting the state's authority to seek reimbursement for public assistance. (Amendment printed SJ 5-30-13)

Rep. James MacKay moved that the House concur and spoke in favor.  
Adopted.

**HB 559**, relative to the general banking laws of the state. (Amendment printed SJ 5-30-13)

Rep. Butler moved that the House concur and spoke in favor.  
Adopted.

**HB 521**, establishing a committee to study New Hampshire election laws and procedures. (Amendment printed SJ 4-18-13)

Rep. Cote moved that the House concur.  
Rep. Gary Richardson spoke in favor.  
Adopted.

**HB 308**, relative to technical changes to election laws. (Amendment printed SJ 4-18-13)

Rep. Cote moved that the House concur.  
Rep. Gary Richardson spoke in favor.  
Adopted.

**HB 123**, relative to the limitation of liability for negligence regarding public safety officers. (Amendment printed SJ 5-23-13)

Rep. Marjorie Smith moved that the House concur and spoke in favor.  
Adopted.

**HB 228**, relative to insurance fraud. (Amendment printed SJ 5-23-13)

Rep. Marjorie Smith moved that the House concur and spoke in favor.  
Adopted.

**HB 403**, establishing a committee to study end of life decisions. (Amendment printed SJ 5-23-13)

Rep. Marjorie Smith moved that the House concur and spoke in favor.  
Adopted.

**HB 413**, relative to property abandoned by tenants. (Amendment printed SJ 5-23-13)

Rep. Marjorie Smith moved that the House concur and spoke in favor.  
Adopted.

**HB 140**, relative to the committee on legislator orientation. (Amendment printed SJ 5-30-13)

Rep. Gary Richardson moved that the House concur and spoke in favor.  
Adopted.

**HB 283**, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B.

Rep. Porter moved that the House concur and spoke in favor.  
Adopted.

**HB 634**, relative to water resource management and protection plans in municipal master plans. (Amendment printed SJ 5-23-13)

Rep. Porter moved that the House concur and spoke in favor.  
Adopted.

**HB 588**, extending the instream flow pilot program for 2 years. (Amendment printed SJ 5-23-13)

Rep. Chandley moved that the House concur and spoke in favor.  
Adopted.

**HB 119**, relative to voter registration. (Amendment printed SJ 5-23-13)

Rep. Cote moved that the House nonconcur.

Rep. Gary Richardson spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 238 NAYS 104****YEAS 238****BELKNAP**

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Luther, Robert

Flanders, Donald  
Raymond, Ian

Gulick, Ruth  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Schmidt, Stephen

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
White, Syndi

Crawford, Karel

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie

Butynski, William  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey

Almy, Susan  
Doolan, Ralph Jr  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Carroll, Douglas  
Connor, Evelyn  
Eaton, Richard  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeu, Jean  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Porter, Marjorie  
Rowe, Robert  
Shaw, Barbara  
Stroud, Kathleen  
Vail, Suzanne  
Winters, Joel

Beaulieu, Jane  
Chandle, Shannon  
Cote, David  
Gage, Ruth  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Kelley, John  
Levasseur, Nickolas  
McCloskey, David  
O'Brien, Michael Sr  
Ramsey, Peter  
Sanborn, Laurie  
Soucy, Timothy  
Sullivan, Daniel  
Walsh, Robert Jr  
Woodbury, David

Belanger, James  
Christiansen, Lars  
DiSilvestro, Linda  
Gale, Sylvia  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Knowles, Mary Ann  
Levesque, Melanie  
McNamara, Richard  
O'Flaherty, Tim  
Rhodes, Brian  
Schmidt, Janice  
Souza, Kathleen  
Sullivan, Peter  
Willette, Robert

Campbell, David  
Coffey, James  
Dobson, Jeremy  
Garcia, Michael  
Gorman, Mary  
Hansberry, Daniel  
Jasper, Shawn  
Kopka, Angeline  
Long, Patrick  
Murphy, Keith  
Palmer, Stephen  
Rosenwald, Cindy  
Shattuck, Gilman  
Spratt, Stephen  
Takesian, Charlene  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
MacKay, James  
Myler, Mel  
Richardson, Gary  
Shurtliff, Stephen  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
McGuire, Carol  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
McGuire, Dan  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

**ROCKINGHAM**

Allen, Mary  
 Briden, Steven  
 Charron, Gene  
 Emerson-Brown, Rebecca  
 Heffron, Frank  
 Lovejoy, Patricia  
 Muns, Chris  
 Priestley, Anne  
 Sedensky, John  
 Till, Mary

Belanger, Ronald  
 Burtis, Elizabeth  
 Cushing, Robert Jr  
 Flockhart, Eileen  
 Hoelzel, Kathleen  
 Major, Norman  
 Packard, Sherman  
 Scarlotto, Joe  
 Sherman, Thomas  
 Ward, Gerald

Birdsell, Regina  
 Cahill, Michael  
 Danaïs, Romeo  
 Griffin, Mary  
 Kappler, Lawrence  
 Mann, Maureen  
 Pantelakos, Laura  
 Schlachman, Donna  
 Sweeney, Joe  
 Whittemore, Lisa

Borden, David  
 Cali-Pitts, Jacqueline  
 DeSimone, Debra  
 Hayes, Jack  
 Khan, Aboul  
 Moody, Marcia  
 Peckham, Michele  
 Schroader, Adam  
 Sytek, John

**STRAFFORD**

Baber, William  
 Burke, Rachel  
 Gray, James  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Berube, Roger  
 Gardner, Janice  
 Grossman, Kenneth  
 Kaen, Naida  
 Mullen, John Jr  
 Rollo, Deanna  
 Spang, Judith

Bixby, Peter  
 Ginsburg, Philip  
 Hooper, Dorothea  
 Ketel, Stephen  
 Pelletier, Marsha  
 Schmidt, Peter  
 Stevens, Audrey

Burdwood, Greg  
 Grassie, Anne  
 Horrigan, Timothy  
 Malloy, Dennis  
 Perry, Robert  
 Smith, Marjorie  
 Verschueren, James

**SULLIVAN**

Cloutier, John  
 Irwin, Virginia  
 Tanner, Linda

Gagnon, Raymond  
 Rollins, Skip

Gottling, Suzanne  
 Schmidt, Andrew

Grenier, James  
 Sweeney, Cynthia

**NAYS 104****BELKNAP**

Burchell, Richard  
 Holmes, Stephen

Cormier, Jane  
 Sylvia, Michael

Fink, Charles  
 Tilton, Franklin

Greemore, Robert Jr  
 Worsman, Colette

**CARROLL**

Chandler, Gene  
 Nelson, Bill

Cordelli, Glenn  
 Umberger, Karen

McConkey, Mark  
 Wright, Donald

Morrow, Harry

**CHESHIRE****COOS**

Johnson, Jane

Rappaport, Laurence

**GRAFTON**

Bradley, Lester

Gionet, Edmond

Ladd, Rick Jr

Reilly, Harold Sr

**HILLSBOROUGH**

Barry, Richard  
 Cebrowski, John  
 Flanagan, Jack  
 Hansen, Peter  
 Kurk, Neal  
 Manley, Jonathan Sr  
 Meaney, Richard  
 O'Brien, William  
 Pellegrino, Tony  
 Straight, Philip  
 Warden, Mark

Boehm, Ralph  
 Culbert, Patrick  
 Gagne, Larry  
 Hikel, John  
 Lambert, George  
 Marston, Dick  
 Murotake, David  
 Ober, Lynne  
 Peterson, Lenette  
 Ulery, Jordan

Burt, John  
 Daniels, Gary  
 Graham, John  
 Hopper, Gary  
 LeBrun, Donald  
 Martel, Andre  
 Murphy, Kelleigh  
 Ober, Russell III  
 Pratt, Calvin  
 Vaillancourt, Steve

Byron, Frank  
 Danielson, David  
 Haefner, Robert  
 Infantine, William  
 LeVasseur, Richard  
 McCarthy, Michael  
 Notter, Jeanine  
 Parison, James  
 Sandblade, Emily  
 Villeneuve, Moe

**MERRIMACK**

Hess, David

Hoell, J.R.

Kotowski, Frank

Lockwood, Priscilla

**ROCKINGHAM**

Abrami, Patrick	Bick, Patrick	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Devine, James	Duarte, Joe	Dumaine, Dudley
Emerick, J. Tracy	Ferrante, Beverly	Garcia, Bianca	Garcia, Marilinda
Hagan, Joseph	Harris, Jeffrey	Hodgdon, Bruce	Introne, Robert
Itse, Daniel	Kolodziej, Walter	McMahon, Charles	Milz, David
Nigrello, Robert	O'Connor, John	Rice, Frederick	Sanders, Elisabeth
St.James, Kevin	Tamburello, Daniel	Thompson, David	Tremblay, Stella
Tucker, Pamela	Waterhouse, Kevin	Webb, James Sr	Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Groen, Warren	Jones, Laura
Pitre, Joseph			

**SULLIVAN**

Smith, Steven  
and the motion was adopted.

**HB 183**, relative to processing absentee ballots. (Amendment printed SJ 5-2-13)  
Rep. Cote moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Gary Richardson, Connor, Gage and Jasper.

**HB 265**, relative to procedures by absentee voters. (Amendment printed SJ 5-2-13)  
Rep. Cote moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Knowles, Till, Connor and Hoelzel.

**HB 595-FN**, relative to photo identification of voters. (Amendment printed SJ 5-23-13)  
Rep. Cote moved that the House nonconcur and request a Committee of Conference.  
On a division vote, 286 members having voted in the affirmative and 52 in the negative, the motion was adopted.

The Speaker appointed Reps. Gary Richardson, Knowles, Perry and Cote.

**MOTION TO LIMIT DEBATE**

Rep. Jasper moved that debate on remaining bills on today's House Calendar be limited to 20 minutes on each side, including questions.

**MOTION TO AMEND**

Rep. Vaillancourt moved to amend the motion to limit debate to 2 hours on each side, including questions.

Rep. Hoell requested a roll call; sufficiently seconded.

**YEAS 86 NAYS 253**

**YEAS 86**

**BELKNAP**

Cormier, Jane	Sylvia, Michael
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**CARROLL**

Buco, Thomas	Cordelli, Glenn	Crawford, Karel	Nelson, Bill
Umberger, Karen	White, Syndi	Wright, Donald	

**CHESHIRE**

Emerson, Susan	Mann, John	Roberts, Kris
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**COOS**

None

**GRAFTON**

Doolan, Ralph Jr  
Mulholland, Catherine

Higgins, Patricia  
Piper, Wendy

Ladd, Rick Jr

Lovett, Sid

**HILLSBOROUGH**

Belanger, James  
Garcia, Michael  
Hansen, Peter  
Martel, Andre  
Murphy, Keith  
O'Flaherty, Tim  
Sandblade, Emily  
Willette, Robert

Burt, John  
Gidge, Kenneth  
Hikel, John  
McCloskey, David  
Nelson, Mary  
Ober, Russell III  
Sullivan, Peter  
Winters, Joel

Coffey, James  
Gorman, Mary  
Jack, Martin  
Meaney, Richard  
Notter, Jeanine  
Parison, James  
Ulery, Jordan

Eaton, Richard  
Graham, John  
Lambert, George  
Murotake, David  
O'Brien, William  
Pratt, Calvin  
Vaillancourt, Steve

**MERRIMACK**

Burns, Scott  
Hoell, J.R.

Carey, Lorrie  
Hunt, Jane

Carson, Clyde  
McGuire, Dan

Hess, David  
Rogers, Katherine

**ROCKINGHAM**

Allen, Mary  
Cushing, Robert Jr  
Harris, Jeffrey  
O'Connor, John  
Tamburello, Daniel

Bick, Patrick  
Danais, Romeo  
Heffron, Frank  
Schroadter, Adam  
Tremblay, Stella

Burtis, Elizabeth  
Dumaine, Dudley  
Hodgdon, Bruce  
Sedensky, John  
Webb, James Sr

Comerford, Timothy  
Grace, Curtis  
Itse, Daniel  
St.James, Kevin  
Whittemore, Lisa

**STRAFFORD**

Bickford, David  
Menear, H. Robert III

Groen, Warren  
Mullen, John Jr

Horrigan, Timothy  
Perry, Robert

Jones, Laura  
Schmidt, Peter

**SULLIVAN**

Sweeney, Cynthia

Tanner, Linda

**NAYS 253****BELKNAP**

Burchell, Richard  
Flanders, Donald  
Huot, David  
Vadney, Herbert

DiMartino, Lisa  
Greemore, Robert Jr  
Luther, Robert  
Worsman, Colette

Fields, Dennis  
Gulick, Ruth  
Raymond, Ian

Fink, Charles  
Holmes, Stephen  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
Merrrow, Harry

Butler, Edward  
Schmidt, Stephen

Chandler, Gene  
Ticehurst, Susan

McConkey, Mark

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Shepardson, Marjorie

Berch, Paul  
Hunt, John  
Parkhurst, Henry  
Tatro, Bruce

Burridge, Delmar  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Johnson, Jane  
Sad, Tara  
Weed, Charles

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Theberge, Robert

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Gionet, Edmond  
Nordgren, Sharon  
Smith, Suzanne

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Ford, Susan  
Lauer, Linda  
Reilly, Harold Sr  
Townsend, Charles

Bradley, Lester  
Friedrich, Carol  
Massimilla, Linda  
Shackett, Jeffrey

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Boehm, Ralph
Byron, Frank	Campbell, David	Carroll, Douglas	Cebrowski, John
Chandlee, Shannon	Christiansen, Lars	Connor, Evelyn	Cote, David
Culbert, Patrick	Daniels, Gary	Danielson, David	DiSilvestro, Linda
Flanagan, Jack	Gage, Ruth	Gagne, Larry	Gale, Sylvia
Gargas, Carolyn	Goley, Jeffrey	Grady, Brenda	Hackel, Paul
Haefner, Robert	Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda
Heden, Ruth	Hopper, Gary	Jasper, Shawn	Judy, Jean
Kelley, John	Knowles, Mary Ann	Kopka, Angeline	Kurk, Neal
LeBrun, Donald	Leishman, Peter	Levasseur, Nickolas	LeVasseur, Richard
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr
Marston, Dick	McNamara, Richard	Murphy, Kelleigh	O'Brien, Michael Sr
Ober, Lynne	Palmer, Stephen	Pellegrino, Tony	Peterson, Lenette
Porter, Marjorie	Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy
Rowe, Robert	Sanborn, Laurie	Schmidt, Janice	Shattuck, Gilman
Shaw, Barbara	Soucy, Timothy	Souza, Kathleen	Spratt, Stephen
Straight, Philip	Stroud, Kathleen	Sullivan, Daniel	Takesian, Charlene
Vail, Suzanne	Villeneuve, Moe	Walsh, Robert Jr	Warden, Mark
Williams, Kermit	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Davis, Frank	Ebel, Karen	Frambach, Mary	Frazer, June
French, Barbara	Gile, Mary	Hirsch, Geoffrey	Karrick, David Jr
Kidder, David	Kotowski, Frank	Lockwood, Priscilla	MacKay, James
McGuire, Carol	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Richardson, Gary	Schamberg, Thomas
Schuetz, Dianne	Shurtleff, Stephen	Tilton, Joy	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	

**ROCKINGHAM**

Abrami, Patrick	Belanger, Ronald	Birdsell, Regina	Borden, David
Briden, Steven	Cahill, Michael	Cali-Pitts, Jacqueline	Charron, Gene
Chirichiello, Brian	Copeland, Timothy	DeSimone, Debra	Devine, James
Duarte, Joe	Emerick, J. Tracy	Emerson-Brown, Rebecca	Ferrante, Beverly
Flockhart, Eileen	Griffin, Mary	Hagan, Joseph	Hayes, Jack
Hoelzel, Kathleen	Introne, Robert	Kappler, Lawrence	Khan, Aboul
Kolodziej, Walter	Lovejoy, Patricia	Major, Norman	Mann, Maureen
McMahon, Charles	Milz, David	Moody, Marcia	Muns, Chris
Nigrello, Robert	Packard, Sherman	Pantelakos, Laura	Peckham, Michele
Priestley, Anne	Rice, Frederick	Sanders, Elisabeth	Scarlott, Joe
Schlachman, Donna	Sherman, Thomas	Sweeney, Joe	Sytek, John
Thompson, David	Till, Mary	Tucker, Pamela	Ward, Gerald
Waterhouse, Kevin	Weyler, Kenneth		

**STRAFFORD**

Baber, William	Beaudoin, Steven	Berube, Roger	Bixby, Peter
Burdwood, Greg	Burke, Rachel	Gardner, Janice	Ginsburg, Philip
Grassie, Anne	Gray, James	Grossman, Kenneth	Hooper, Dorothea
Hubbard, Pamela	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Pelletier, Marsha	Pitre, Joseph	Rogers, Rose Marie	Rollo, Deanna
Smith, Marjorie	Spainhower, Dale	Spang, Judith	Stevens, Audrey
Verschueren, James	Wall, Janet		

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	Rollins, Skip	Schmidt, Andrew	Smith, Steven
and the motion failed.			

The question now being adoption of the motion to limit debate to 20 minutes on each side, including questions.

On a division vote, 200 members having voted in the affirmative and 139 in the negative, the motion was adopted.

### REGULAR CALENDAR (CONT'D)

#### **SB 41, revising the New Hampshire business corporations act, RSA 293-A. OUGHT TO PASS WITH AMENDMENT.**

Rep. Chris Muns for Commerce and Consumer Affairs: This bill provides important updates and revisions to the New Hampshire business corporations act, first passed by this legislature in 1993. Since that time there have been virtually no changes to New Hampshire laws that provide guidelines on how corporations are formed, governed and dissolved and New Hampshire has fallen behind other states around the country as being a desirable state in which to incorporate. Like our existing corporation act, SB 41 is based on model language from the American Bar Association's committee on corporate laws. It reflects the best practices and most current case law drawn from 20 years of experience in other states. Although based on the model act, SB 41 is tailored for New Hampshire and includes important protections of shareholder rights. It has the full support of the secretary of state. Most of the changes in SB 41 are updates to concepts that exist in the current statute, with the changes reflecting current methods of doing business and best practices. For example, revisions in SB 41 allow for delivery of documents to the secretary of state by electronic transmission; authorizes remote participation by shareholders at a shareholder meeting; and simplifies the process for entities to convert to corporations, and for out-of-state corporations to re-domicile in New Hampshire. Finally, the bill clarifies a number of issues that are vague or unclearly defined in our current, outdated statute. The amendment corrects a drafting error contained in the bill passed by the Senate; gives the secretary of state the right to notify corporations of inconsistencies with filings; and provides an expedited administrative process for minority shareholders to receive shareholder information in advance of an annual meeting. SB-41 is a top priority for the Business & Industry Association and reflects a truly bipartisan approach and effort to improve New Hampshire's business climate. Vote 14-0.

#### **Amendment (1778h)**

Amend RSA 293-A:1.25 as inserted by section 1 of the bill by inserting after paragraph (e) the following new paragraph:

(f) If, at any time, the secretary of state or any of those acting on his or her behalf determines that any document recorded by them under RSA 292, RSA 293-A, RSA 293-B, RSA 294-A, RSA 301, RSA 301-A, RSA 304-A, RSA 304-B, RSA 304-C, RSA 305-A, or RSA 349 contains defects or inconsistencies, the secretary of state shall notify the filer of said document, in writing, of any defects and inconsistencies.

Amend RSA 293-A:10.04 as inserted by section 1 of the bill by replacing it with the following:

293-A:10.04 Voting on Amendments by Voting Groups.

(a) If a corporation has more than one class of shares outstanding, the holders of the outstanding shares of a class are entitled to vote as a separate voting group (if shareholder voting is otherwise required by this chapter) on a proposed amendment to the articles of incorporation if the amendment would:

- (1) increase or decrease the aggregate number of authorized shares of the class;
- (2) effect an exchange or reclassification of all or part of the shares of the class into shares of another class;
- (3) effect an exchange or reclassification, or create the right of exchange, of all or part of the shares of another class into shares of the class;
- (4) change the rights, preferences, or limitations of all or part of the shares of the class;
- (5) change the shares of all or part of the class into a different number of shares of the same class;
- (6) create a new class of shares having rights or preferences with respect to distributions that are prior or superior to the shares of the class;
- (7) increase the rights, preferences, or number of authorized shares of any class that, after giving effect to the amendment, have rights or preferences with respect to distributions that are prior or superior to the shares of the class;
- (8) limit or deny an existing preemptive right of all or part of the shares of the class; or

(9) cancel or otherwise affect rights to distributions that have accumulated but not yet been authorized on all or part of the shares of the class.

(b) If a proposed amendment would affect a series of a class of shares in one or more of the ways described in subsection (a), the holders of shares of that series are entitled to vote as a separate voting group on the proposed amendment.

(c) If a proposed amendment that entitles the holders of 2 or more classes or series of shares to vote as separate voting groups under this section would affect those 2 or more classes or series in the same or a substantially similar way, the holders of shares of all the classes or series so affected must vote together as a single voting group on the proposed amendment, unless otherwise provided in the articles of incorporation or required by the board of directors.

(d) A class or series of shares is entitled to the voting rights granted by this section although the articles of incorporation provide that the shares are nonvoting shares.

Amend RSA 293-A:14.20(a)(4)-(5) as inserted by section 1 of the bill by replacing them with the following:

(4) the corporation does not notify the secretary of state within 60 days that its registered agent or registered office has been changed, that its registered agent has resigned, or that its registered office has been discontinued;

(5) the corporation's period of duration stated in its articles of incorporation expires; or

(6) the corporation or any individual acting on its behalf files any document with the secretary of state that, either alone or in conjunction with any other document, constitutes a knowing violation of applicable statutes.

Amend RSA 293-A:14.21 as inserted by section 1 of the bill by inserting after paragraph (e) the following new paragraphs:

(f) In connection with the issuance of a notice of dissolution by the secretary of state under RSA 293-A:14.21(a) on grounds set forth in RSA 293-A:14.20(a)(6), a hearing shall be set for 10 business days after the issuance of the notice of dissolution. All hearings shall be conducted in accordance with RSA 421-B:26-a. If the person whom the notice is issued fails to appear for the hearing, then such person shall be deemed in default, and the dissolution shall become final.

(g) Unless an order is final pursuant to RSA 293-A:14.21(f), any administrative dissolution by the secretary of state on grounds set forth in RSA 293-A:14.20(a)(6) may be appealed to the superior court of the county where the corporation's principal office, or, if none in this state, its registered office, is located or the business and commercial dispute docket of the superior court, which court shall be deemed to have jurisdiction to hear such matter and to which the corporation and the secretary of state shall be deemed to have consented. Any appeal under this section shall not affect any rights of the corporation under RSA 293-A:14.22, RSA 293-A:14.22-a, or RSA 293-A:14.23.

Amend RSA 293-A:16.02(e)-(h) as inserted by section 1 of the bill by replacing them with the following:

(e) For purposes of RSA 293-A:16.02(d), if a shareholder makes a written demand on a corporation for an alphabetical list of the names and addresses of its shareholders who are entitled to notice of a shareholders' meeting for the purpose of communicating with other shareholders relating to an item of business listed in the notice, and the corporation refuses to allow inspection and copying of the list, the shareholder may petition the secretary of state to issue an order requiring the corporation to allow the shareholder to inspect and copy the list of shareholders pursuant to the provisions of RSA 421-B:26-a. The secretary of state, or his or her designee, shall confirm that (i) the petitioner is a shareholder of the corporation, (ii) the corporation has given a notice of shareholder meeting to its shareholders, and (iii) the shareholder made a written demand to inspect and copy the shareholder list for the purpose of communicating with the shareholders regarding an item of business set forth in the notice. If the secretary of state confirms such information, he or she shall schedule a hearing no later than 10 business days after making such confirmation. The secretary of state shall promptly give the petitioner and the corporation notice of the hearing. At such hearing, the presiding officer shall determine whether the petitioner has made the demand for the inspection and copying of the shareholder list for a proper purpose and in good faith and in accordance with RSA 293-A:16.02(d) and, if so, he or she shall order the corporation to comply with the law. If the corporation fails to attend the hearing, the corporation shall be deemed to be in default, and the presiding officer may issue an order requiring it to allow the petitioner to inspect and copy the shareholder list. Such order in the case of default shall be deemed final and may be enforced by the secretary of state pursuant to RSA 293-A:16.02(f).



(f) Unless an order is final pursuant to RSA 293-A:16.02(e), any order or refusal to grant an order by the secretary of state under this subsection may be appealed to the superior court of the county where the corporation's principal office, or, if none in this state, its registered office, is located or the business and commercial dispute docket of the superior court, which court shall be deemed to have jurisdiction to hear such matter and to which the corporation or shareholder, as the case may be, shall be deemed to have consented. The secretary of state or his or her designee may bring an action in the superior court to enforce compliance with any final order under this section. Upon a proper showing, an injunction or other equitable relief may be granted.

(g) The right of inspection granted by this section may not be abolished or limited by a corporation's articles of incorporation or bylaws.

(h) This section does not affect:

(1) the right of a shareholder to inspect records under RSA 293-A:7.20 or, if the shareholder is in litigation with the corporation, to the same extent as any other litigant; or

(2) the power of a court, independently of this chapter, to compel the production of corporate records for examination.

(i) For purposes of this section, "shareholder" includes a beneficial owner whose shares are held in a voting trust or by a nominee on the shareholder's behalf.

Amendment adopted.

The question now being adoption of the committee report of Ought to Pass with Amendment.  
Rep. Muns spoke in favor.

Rep. Butler requested a roll call; sufficiently seconded.

## YEAS 336 NAYS 0

### YEAS 336

#### BELKNAP

Burchell, Richard	Cormier, Jane	DiMartino, Lisa	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Gulick, Ruth
Holmes, Stephen	Huot, David	Luther, Robert	Raymond, Ian
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Worsman, Colette

#### CARROLL

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Cordelli, Glenn	Crawford, Karel	McConkey, Mark	Morrow, Harry
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
White, Syndi	Wright, Donald		

#### CHESHIRE

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Emerson, Susan	Hunt, John	Johnsen, Gladys
Johnson, Jane	Ley, Douglas	Mann, John	Parkhurst, Henry
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles		

#### COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Rappaport, Laurence	Richardson, Herbert	Theberge, Robert

#### GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Bradley, Lester
Brown, Rebecca	Cooney, Mary	Doolan, Ralph Jr	Ford, Susan
Friedrich, Carol	Harding, Laurie	Higgins, Patricia	Ladd, Rick Jr
Lauer, Linda	Lovett, Sid	Massimilla, Linda	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy	Reilly, Harold Sr
Shackett, Jeffrey	Smith, Suzanne	Sykes, George	Townsend, Charles

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Belanger, James
Boehm, Ralph	Burt, John	Byron, Frank	Campbell, David
Carroll, Douglas	Cebrowski, John	Chandley, Shannon	Christiansen, Lars
Coffey, James	Connor, Evelyn	Cote, David	Culbert, Patrick
Daniels, Gary	Danielson, David	DiSilvestro, Linda	Eaton, Richard
Flanagan, Jack	Gage, Ruth	Gagne, Larry	Gale, Sylvia
Garcia, Michael	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Graham, John	Hackel, Paul	Haefner, Robert
Hammond, Jill	Hansberry, Daniel	Hansen, Peter	Harriott-Gathright, Linda
Heden, Ruth	Hikel, John	Hopper, Gary	Infantine, William
Jack, Martin	Jasper, Shawn	Jeady, Jean	Kelley, John
Knowles, Mary Ann	Kopka, Angeline	Kurk, Neal	Lambert, George
LeBrun, Donald	Leishman, Peter	Levasseur, Nickolas	LeVasseur, Richard
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr
Marston, Dick	Martel, Andre	McCloskey, David	McNamara, Richard
Meaney, Richard	Murotake, David	Murphy, Keith	Murphy, Kelleigh
Nelson, Mary	Notter, Jeanine	O'Brien, Michael Sr	O'Brien, William
O'Flaherty, Tim	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Parison, James	Pellegrino, Tony	Peterson, Lenette	Porter, Marjorie
Pratt, Calvin	Ramsey, Peter	Rhodes, Brian	Rosenwald, Cindy
Rowe, Robert	Sanborn, Laurie	Sandblade, Emily	Schmidt, Janice
Shattuck, Gilman	Shaw, Barbara	Soucy, Timothy	Souza, Kathleen
Spratt, Stephen	Straight, Philip	Stroud, Kathleen	Sullivan, Daniel
Sullivan, Peter	Takesian, Charlene	Ulery, Jordan	Vail, Suzanne
Vaillancourt, Steve	Villeneuve, Moe	Walsh, Robert Jr	Warden, Mark
Willette, Robert	Williams, Kermit	Winters, Joel	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Hess, David	Hirsch, Geoffrey	Hoell, J.R.
Hunt, Jane	Karrick, David Jr	Kidder, David	Kotowski, Frank
Lockwood, Priscilla	MacKay, James	McGuire, Carol	McGuire, Dan
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Chip	Richardson, Gary	Rogers, Katherine	Schamberg, Thomas
Schuetz, Dianne	Shurtleff, Stephen	Tilton, Joy	Wallner, Mary Jane
Walz, Mary Beth	Watrous, Rick	Webb, Leigh	

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Belanger, Ronald	Bick, Patrick
Birdsell, Regina	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Charron, Gene	Chirichiello, Brian
Comerford, Timothy	Copeland, Timothy	Cushing, Robert Jr	Danais, Romeo
DeSimone, Debra	Devine, James	Duarte, Joe	Dumaine, Dudley
Emerick, J. Tracy	Emerson-Brown, Rebecca	Ferrante, Beverly	Flockhart, Eileen
Grace, Curtis	Griffin, Mary	Hagan, Joseph	Harris, Jeffrey
Hayes, Jack	Heffron, Frank	Hodgdon, Bruce	Hoelzel, Kathleen
Introne, Robert	Itse, Daniel	Kappler, Lawrence	Khan, Aboul
Kolodziej, Walter	Lovejoy, Patricia	Major, Norman	Mann, Maureen
McMahon, Charles	Milz, David	Moody, Marcia	Muns, Chris
Nigrello, Robert	O'Connor, John	Packard, Sherman	Pantelakos, Laura
Peckham, Michele	Priestley, Anne	Rice, Frederick	Sanders, Elisabeth
Scarlottio, Joe	Schlachman, Donna	Schroadter, Adam	Sedensky, John
Sherman, Thomas	St.James, Kevin	Sweeney, Joe	Sytek, John
Tamburello, Daniel	Thompson, David	Till, Mary	Tremblay, Stella
Tucker, Pamela	Ward, Gerald	Waterhouse, Kevin	Webb, James Sr
Weyler, Kenneth	Whittemore, Lisa		

**STRAFFORD**

Baber, William  
 Bixby, Peter  
 Ginsburg, Philip  
 Grossman, Kenneth  
 Jones, Laura  
 Mullen, John Jr  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Beaudoin, Steven  
 Burdwood, Greg  
 Grassie, Anne  
 Hooper, Dorothea  
 Kaen, Naida  
 Pelletier, Marsha  
 Rollo, Deanna  
 Spang, Judith

Berube, Roger  
 Burke, Rachel  
 Gray, James  
 Horrigan, Timothy  
 Ketel, Stephen  
 Perry, Robert  
 Schmidt, Peter  
 Stevens, Audrey

Bickford, David  
 Gardner, Janice  
 Groen, Warren  
 Hubbard, Pamela  
 Malloy, Dennis  
 Pitre, Joseph  
 Smith, Marjorie  
 Verschueren, James

**SULLIVAN**

Cloutier, John  
 Irwin, Virginia  
 Sweeney, Cynthia

Gagnon, Raymond  
 Rollins, Skip  
 Tanner, Linda

Gottling, Suzanne  
 Schmidt, Andrew

Grenier, James  
 Smith, Steven

**NAYS 0****BELKNAP**

None

**CARROLL**

None

**CHESHIRE**

None

**COOS**

None

**GRAFTON**

None

**HILLSBOROUGH**

None

**MERRIMACK**

None

**ROCKINGHAM**

None

**STRAFFORD**

None

**SULLIVAN**

None

and the committee report was adopted and ordered to third reading.

**SB 198**, relative to the authority of county correctional officers. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gene P. Charron for Criminal Justice and Public Safety: The purpose of this bill is to enable the county commissioners to organize a county transport and a custody force consisting of county department of corrections personnel for the purpose of providing general security for county department of corrections roads, buildings and grounds. This bill amends RSA 30-B which will now include a new subdivision 30-B:25 and 30-B: 26. Over the years county corrections has grown considerably and it is not uncommon for county corrections to provide transport of inmates to other county facilities, medical appointments and other purposes as needed. Most if not all 10 counties engage in transport. The county cruisers are marked and equipped with communication and in most cases blue emergency lights. Even

though the emergency lights were an accepted practice over the years, it appears that the blue lights were not permissible according to RSA 266:78-b. A short version of the law is that the blue lights are only permissible for law enforcement officers who have the powers of arrest. Correctional personnel do not have powers of arrest. The county commissioners with the passage of this bill will be enabled, if they wish, to create a transport and custody force. The officers will be ex officio constables with limited powers of arrest on county grounds. Within the new statutes are required training and written policies. The new amendments will also allow limited use of blue lights. The creation of this bill has the support of county commissioners, corrections superintendents and law enforcement agencies. The passage of this law will bring county corrections in conformance. Vote 11-2.

### **Amendment (1882h)**

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; County Departments of Corrections; County Transport and Custody Officers; Powers and Duties. Amend RSA 30-B by inserting after section 24 the following new subdivision:  
County Transport and Custody Officers

30-B:25 County Transport and Custody Officers. The county commissioners may appoint county transport and custody officers, consisting of selected members of the county department of corrections line personnel identified by the superintendent, for the purpose of patrolling county department of corrections buildings, roads, and grounds, and providing for general security at the county correctional facility. If transport and custody officers are appointed, the county commissioners shall adopt a written policy establishing rules relating to the control and responsibility of the transport and custody officers. The policy shall include a requirement for training designed for the specific functions of the transport and custody officers as prescribed in this subdivision, including education on the power of arrest, firearms training and certification, and defensive driving.

30-B:26 Powers and Duties. All transport and custody officers shall be ex officio constables and shall possess limited powers of arrest which shall only extend to the confines of the grounds of the county correctional facility and to the period during which such officers are on official active duty. The 2 instances where the authority of the transport and custody officers shall extend beyond the county correctional facility grounds, and during which time the transport and custody officers may utilize blue lights on vehicles pursuant to RSA 266:78-b, are:

I. Where a county transport and custody officer is in hot pursuit of a person who has committed a crime or violation by interfering with the maintenance of custody and control; or

II. Where a county transport and custody officer is transporting or assisting in the transport of a committed inmate, including, but not limited to, medical transports and transports involving a committed inmate who is receiving services in a health care setting.

2 Effective Date. This act shall take effect 60 days after its passage.

### **AMENDED ANALYSIS**

This bill authorizes the county commissioners to approve county transport and custody officers consisting of county department of corrections personnel.

Amendment adopted.

Committee report adopted and ordered to third reading.

**SB 27-FN**, relative to monitoring by the department of education of programs for children with disabilities. **OUGHT TO PASS.**

Rep. Beth R. Arsenault for Education: This bill is relative to the monitoring of programs for children with disabilities by the department of education (DOE). It requires a written response to the report submitted by the organization that conducted the 2012 independent evaluation. This response will include a detailed plan as to how the department will address those areas identified as needing improvement on or before December 30, 2013. It requires an evaluation be repeated in 2015 and decennially thereafter and will include feedback on the steps the department has taken in response to the 2012 report. Vote 15-4.

Rep. Shurtleff offered floor amendment (1990h).

### **Floor Amendment (1990h)**

Amend the title of the bill by replacing it with the following:

**AN ACT** relative to monitoring by the department of education of programs for children with disabilities and relative to the calculation of school building aid grants.

Amend the bill by replacing all after section 1 with the following:

2 School Building Aid; Amount of Grant. Amend RSA 198:15-b, I(a)(2)(E) to read as follows:

(E) Funds received from charitable trusts, bequests, gifts, insurance policies, federal grants, or grants from other state programs shall ~~[not be considered in]~~ **be subtracted from total project costs when** computing grants under this paragraph.

3 New Subparagraph; School Building Aid; Amount of Grant. Amend RSA 198:15-b, I(a)(2) by inserting after subparagraph (D) the following new subparagraph:

(E) Funds received from charitable trusts, bequests, gifts, insurance policies, federal grants, or grants from other state programs shall be subtracted from total project costs when computing grants under this paragraph.

4 Contingency. If HB 629-FN of the 2013 regular legislative session becomes law, then section 2 of this act shall take effect at 12:01 a.m. on the effective date of HB 629-FN and section 3 of this act shall not take effect. If HB 629-FN does not become law, then section 3 of this act shall take effect as provided in section 5 of this act and section 2 of this act shall not take effect.

5 Effective Date.

I. Sections 2 and 3 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

#### AMENDED ANALYSIS

This bill requires the department of education to evaluate the effectiveness of the special education program approval and monitoring system in 2015. The bill also provides that certain funds received from charitable trusts, bequests, gifts, insurance policies, or grants shall be subtracted from total project costs in the calculation of school building aid grants.

Rep. Shurtleff spoke in favor.

Floor amendment (1990h) adopted.

Committee report adopted and ordered to third reading.

**SB 48**, relative to school performance and accountability. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Anne C. Grassie for Education: This bill, as amended, establishes definitions of priority schools and focus schools, therefore making various changes to the statutes on school performance and accountability. It also eliminates the requirement to assess student's dispositions' while promoting the capacity of effective teachers to support students' work-study practices for success in college, career and citizenship. Vote 15-4.

#### Amendment (1641h)

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; School Performance and Accountability; Purpose. Amend RSA 193-H by inserting after section 1 the following new section:

193-H:1-a Purpose.

I. The purpose of this chapter is to create an accountability model that will best support schools and educators as they work to enable all students to progress toward college and career readiness with clearly defined learning outcomes.

II. New Hampshire's student assessment system should promote and measure knowledge and skills that lead students to graduate from high schools ready for college and career.

III. Students best learn at their own pace as they master content and skills, allowing them to advance when they demonstrate the desired level of mastery rather than progressing based on a predetermined amount of seat time in a classroom will assure that students will reach college and career readiness.

IV. New Hampshire's system of educator support should promote the capacity of educators to deeply engage students in learning rigorous and meaningful knowledge, skills, and work-study practices for success in college, career, and citizenship.

V. Competency-based strategies provide flexibility in the way that credit can be earned and awarded and provide students with personalized learning, including those that are offered through on-line, blended, and community based opportunities.

2 School Performance and Accountability; Definitions. Amend RSA 193-H:1 to read as follows:

193-H:1 Definitions. In this chapter:

I. "Commissioner" means the commissioner of the department of education.

***I-a. "Competencies" means student learning targets that represent key content-specific concepts, skills, and knowledge applied within or across content domains.***

***II. "Department" means the department of education.***

***III. "[Highly-qualified] Effective teacher" means a person who is certified by the local school board and holds a valid teaching credential, and who has demonstrated, through a process approved by the department of education, teaching skills in the core subjects of instruction.***

***IV. "Focus school" means a low performing school that has the largest within-school gaps between the highest achieving subgroup or subgroups of students and the lowest-achieving subgroup or subgroups of students or, for a high school, has the largest within-school gaps in graduation rates.***

***V. "Priority school" means:***

***(a) A school that is among the lowest performing 5 percent of schools in the state based on the achievement of all students on the statewide assessment pursuant to RSA 193-C and which, when measuring the achievement of all students, has demonstrated a lack of progress on the statewide assessment over 3 years; or***

***(b) A high school with a graduation rate of less than 60 percent over 3 consecutive years.***

***VI. "Statewide assessment" means the New Hampshire education improvement and assessment program as established under RSA 193-C.***

***VII. "Work-study practices" means those behaviors that enhance learning achievement and promote a positive work ethic such as, but not limited to, listening and following directions, accepting responsibility, staying on task, completing work accurately, managing time wisely, respecting authority, observing rules, showing initiative, and being cooperative.***

**3 School Performance and Accountability; Statewide Performance Assessment and Targets. Amend RSA 193-H:2 to read as follows:**

**193-H:2 Statewide Performance Targets.**

**I. On or before the 2013-2014 school year, schools shall ensure that all pupils are performing at the basic level or above on the statewide assessment as established in RSA 193-C.**

**II. In addition to the requirements of paragraph I, schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, as established in rules adopted by the state board of education pursuant to RSA 541-A *which shall include rules for:***

***(a) The statewide improvement and assessment program pursuant to RSA 193-C.***

***(b) Attendance rates.***

***(c) The percentage of pupils who graduate with a diploma from an approved high school.***

**III. [Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to the statewide assessment.]**

**IV. Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to attendance rate.**

**V. Schools shall meet statewide performance targets as approved by the legislative oversight committee established in RSA 193-C and thereafter, established in the rules adopted by the state board of education pursuant to RSA 541-A, relative to the percentage of pupils who graduate with a regular diploma from an approved high school.**

**VI.] Notwithstanding RSA 541-A, the state board of education shall receive approval from the legislative oversight committee established in RSA 193-C prior to the submission of any rules to the joint legislative committee on administrative rules relative to statewide performance targets required under this section.**

**4 School Performance and Accountability; Identification and Public Disclosure. Amend RSA 193-H:3 to read as follows:**

**193-H:3 Identification and Public Disclosure of *Priority Schools and Focus Schools* [in-Need of Improvement].**

**I. The commissioner shall annually compile and disseminate to the governor and council, the president of the senate, the speaker of the house of representatives, local school boards, superintendents of schools, and the public, and shall make available on the department website, a list of *priority schools and focus schools* [that are not meeting] *based on* the statewide performance targets established in RSA 193-H:2.**

II. A school or school district designated by the commissioner as [~~not meeting statewide performance targets~~] **a priority school or a focus school** shall have 30 days from the date of the report to appeal such designation to the state board of education.

5 School Performance and Accountability; Local Education Improvement Plan. Amend RSA 193-H:4, I to read as follows:

I.(a) A school or school district shall have one year from the date that a school or school district has been designated as [~~in need of improvement~~] **a priority school or a focus school** pursuant to RSA 193-H:3 to take action to remedy identified problems at the local level. The school or school district shall create a plan that identifies actions that it intends to correct the areas of concern. This plan shall be submitted to the state board within 90 days of the date that the school or school district was designated as [~~in need of improvement~~] **a priority school or a focus school**. If the plan does not sufficiently address the areas of concern, the state board shall disapprove the plan within 30 days. If the state board disapproves the plan, the state board's designee shall work with the school or school district to amend the plan so that it meets state board approval. One year following the designation, if the school or school district is not making satisfactory progress in implementing its plan, the commissioner of education shall issue a notice to the school or school district and shall initiate a process for providing assistance pursuant to paragraph II; or

(b) If a school or school district has been designated as [~~in need of improvement~~] **a priority school or a focus school**, then the school or school district may request assistance from the department of education. The department shall provide technical assistance to those schools that request assistance under this section.

(c) On or before the one year anniversary of being designated as a [~~school or school district in need of improvement;~~] **priority school or a focus school**, the commissioner shall designate a progress review team to evaluate the implementation of the improvement plans and the progress toward state performance targets. The progress review team shall deliver a report to the state board. This report shall include evidence of satisfactory implementation and progress towards state performance targets or lack thereof and recommendations regarding future actions pursuant to subparagraph II(b).

6 School Performance and Accountability; Local Education Improvement Plan. Amend RSA 193-H:4, III(a) to read as follows:

(a) Identify the area in which the school [~~failed~~] **needs** to meet the annual statewide performance targets established under RSA 193-H:2.

7 Repeal. The following are repealed:

I. RSA 193-C:1, V, relative to the local education improvement and assessment plan.

II. RSA 193-C:9, relative to the local education improvement fund.

8 Effective Date. This act shall take effect 60 days after its passage.

Rep. Ladd spoke in favor.

Amendment adopted.

The question being adoption of the committee report of Ought to Pass with Amendment.

Rep. Murotake spoke against.

**(Rep. Kaen in the Chair)**

Reps. Grassie and Gorman spoke in favor.

Reps. Pitre and Cordelli spoke against.

### **MOTION TO LAY ON THE TABLE**

Rep. Boehm moved that **SB 48**, relative to school performance and accountability, be laid on the table. On a division vote, 135 members having voted in the affirmative and 189 in the negative, the motion failed.

The question now being adoption of the committee report of Ought to Pass with Amendment.

Rep. Harris spoke against.

Rep. Tucker requested a roll call; sufficiently seconded.

**YEAS 198 NAYS 134**

**YEAS 198**

**BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas  
Ticehurst, Susan

Butler, Edward

Crawford, Karel

Morrow, Harry

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie

Burridge, Delmar  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

Butynski, William  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy

Almy, Susan  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Connor, Evelyn  
Dobson, Jeremy  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Kelley, John  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Peter  
Woodbury, David

Beaulieu, Jane  
Cote, David  
Eaton, Richard  
Gidge, Kenneth  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
Rhodes, Brian  
Shaw, Barbara  
Vail, Suzanne

Campbell, David  
Culbert, Patrick  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Rosenwald, Cindy  
Spratt, Stephen  
Walsh, Robert Jr

Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jeudy, Jean  
Leishman, Peter  
MacKay, Mariellen  
O'Brien, Michael Sr  
Schmidt, Janice  
Sullivan, Daniel  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

**ROCKINGHAM**

Abrami, Patrick  
Cahill, Michael  
Devine, James  
Heffron, Frank  
Moody, Marcia  
Scarlotta, Joe  
Sytek, John  
Waterhouse, Kevin

Borden, David  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Khan, Aboul  
Muns, Chris  
Schlachman, Donna  
Thompson, David  
Whittemore, Lisa

Briden, Steven  
Copeland, Timothy  
Flockhart, Eileen  
Lovejoy, Patricia  
Nigrello, Robert  
Sherman, Thomas  
Till, Mary

Burtis, Elizabeth  
Cushing, Robert Jr  
Hayes, Jack  
Mann, Maureen  
Pantelakos, Laura  
St.James, Kevin  
Ward, Gerald



**STRAFFORD**

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Pelletier, Marsha  
Schmidt, Peter  
Verschuieren, James

Burdwood, Greg  
Grassie, Anne  
Ketel, Stephen  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Grenier, James  
Tanner, Linda

**NAYS 134****BELKNAP**

Burchell, Richard  
Flanders, Donald  
Tilton, Franklin

Cormier, Jane  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

**CARROLL**

Ahlgren, Christopher  
Nelson, Bill  
Wright, Donald

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
Umberger, Karen

McConkey, Mark  
White, Syndi

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

**GRAFTON**

Bradley, Lester

Doolan, Ralph Jr

Reilly, Harold Sr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Coffey, James  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Nelson, Mary  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen  
Villeneuve, Moe

Belanger, James  
Carroll, Douglas  
Daniels, Gary  
Garcia, Michael  
Hikel, John  
Kurk, Neal  
Marston, Dick  
Murotake, David  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Soucy, Timothy  
Takesian, Charlene  
Warden, Mark

Boehm, Ralph  
Cebrowski, John  
Danielson, David  
Graham, John  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Keith  
O'Brien, William  
Parison, James  
Rowe, Robert  
Souza, Kathleen  
Ulery, Jordan  
Willette, Robert

Burt, John  
Christiansen, Lars  
Flanagan, Jack  
Haefner, Robert  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Murphy, Kelleigh  
O'Flaherty, Tim  
Pellegrino, Tony  
Sanborn, Laurie  
Straight, Philip  
Vaillancourt, Steve  
Winters, Joel

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.

Kotowski, Frank

McGuire, Carol

**ROCKINGHAM**

Allen, Mary  
Chirichiello, Brian  
Duarte, Joe  
Grace, Curtis

Bick, Patrick  
Comerford, Timothy  
Dumaine, Dudley  
Griffin, Mary

Birdsell, Regina  
Danais, Romeo  
Emerick, J. Tracy  
Hagan, Joseph

Charron, Gene  
DeSimone, Debra  
Ferrante, Beverly  
Harris, Jeffrey

Hodgdon, Bruce  
Kappler, Lawrence  
Milz, David  
Priestley, Anne  
Sedensky, John  
Tucker, Pamela

Hoelzel, Kathleen  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
Sweeney, Joe  
Webb, James Sr

Introne, Robert  
Major, Norman  
Packard, Sherman  
Sanders, Elisabeth  
Tamburello, Daniel  
Weyler, Kenneth

Itse, Daniel  
McMahon, Charles  
Peckham, Michele  
Schroadter, Adam  
Tremblay, Stella

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Pitre, Joseph

Groen, Warren

### SULLIVAN

Smith, Steven

and the committee report was adopted and ordered to third reading.

### MOTION TO PRINT DEBATE

Rep. Kurk moved that the debate on **SB 48**, relative to school performance and accountability, be printed in the Permanent Journal.

Rep. Tamburello requested a roll call; sufficiently seconded.

### YEAS 300 NAYS 32

#### YEAS 300

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Holmes, Stephen  
Tilton, Franklin

Cormier, Jane  
Flanders, Donald  
Huot, David  
Vadney, Herbert

DiMartino, Lisa  
Greemore, Robert Jr  
Raymond, Ian  
Worsman, Colette

Fields, Dennis  
Gulick, Ruth  
Sylvia, Michael

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Ahlgren, Christopher  
Cordelli, Glenn  
Nelson, Bill  
White, Syndi

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen  
Wright, Donald

Butler, Edward  
McConkey, Mark  
Ticehurst, Susan

Chandler, Gene  
Morrow, Harry  
Umberger, Karen

#### CHESHIRE

Ames, Richard  
Emerson, Susan  
Ley, Douglas  
Robertson, Timothy  
Weed, Charles

Burridge, Delmar  
Hunt, John  
Mann, John  
Sad, Tara

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

Chase, Cynthia  
Johnson, Jane  
Roberts, Kris  
Tatro, Bruce

#### COOS

Coulombe, Gary  
Rappaport, Laurence

Enman, Larry  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne

#### GRAFTON

Aguiar, James  
Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Almy, Susan  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr

Bradley, Lester  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

### HILLSBOROUGH

Backus, Robert  
Burt, John  
Cebrowski, John  
Connor, Evelyn

Barry, Richard  
Byron, Frank  
Chandlee, Shannon  
Cote, David

Belanger, James  
Campbell, David  
Christiansen, Lars  
Culbert, Patrick

Boehm, Ralph  
Carroll, Douglas  
Coffey, James  
Daniels, Gary

Danielson, David  
 Gage, Ruth  
 Gargas, Carolyn  
 Graham, John  
 Hansberry, Daniel  
 Hikel, John  
 Jeudy, Jean  
 Kurk, Neal  
 Levasseur, Nickolas  
 MacKay, Mariellen  
 McCarthy, Michael  
 Murotake, David  
 Notter, Jeanine  
 Ober, Lynne  
 Peterson, Lenette  
 Rowe, Robert  
 Shattuck, Gilman  
 Spratt, Stephen  
 Takesian, Charlene  
 Walsh, Robert Jr

DiSilvestro, Linda  
 Gagne, Larry  
 Gidge, Kenneth  
 Hackel, Paul  
 Hansen, Peter  
 Hopper, Gary  
 Kelley, John  
 Lambert, George  
 LeVasseur, Richard  
 Manley, Jonathan Sr  
 McCloskey, David  
 Murphy, Keith  
 O'Brien, Michael Sr  
 Palmer, Stephen  
 Porter, Marjorie  
 Sanborn, Laurie  
 Shaw, Barbara  
 Straight, Philip  
 Uler, Jordan  
 Warden, Mark

Dobson, Jeremy  
 Gale, Sylvia  
 Gorman, Mary  
 Haefner, Robert  
 Harriott-Gathright, Linda  
 Infantine, William  
 Knowles, Mary Ann  
 LeBrun, Donald  
 Levesque, Melanie  
 Marston, Dick  
 McNamara, Richard  
 Murphy, Kelleigh  
 O'Brien, William  
 Parison, James  
 Pratt, Calvin  
 Sandblade, Emily  
 Soucy, Timothy  
 Stroud, Kathleen  
 Vail, Suzanne  
 Willette, Robert

Flanagan, Jack  
 Garcia, Michael  
 Grady, Brenda  
 Hammond, Jill  
 Heden, Ruth  
 Jasper, Shawn  
 Kopka, Angeline  
 Leishman, Peter  
 Long, Patrick  
 Martel, Andre  
 Meaney, Richard  
 Nelson, Mary  
 O'Flaherty, Tim  
 Pellegrino, Tony  
 Rosenwald, Cindy  
 Schmidt, Janice  
 Souza, Kathleen  
 Sullivan, Peter  
 Villeneuve, Moe  
 Winters, Joel

### MERRIMACK

Andrews, Christopher  
 Carson, Clyde  
 French, Barbara  
 Hoell, J.R.  
 Kotowski, Frank  
 Patten, Dick  
 Walz, Mary Beth

Bouchard, Candace  
 Ebel, Karen  
 Gile, Mary  
 Hunt, Jane  
 Lockwood, Priscilla  
 Ratzki, Mario  
 Watrous, Rick

Burns, Scott  
 Frambach, Mary  
 Hess, David  
 Karrick, David Jr  
 McGuire, Carol  
 Rice, Chip

Carey, Lorrie  
 Frazer, June  
 Hirsch, Geoffrey  
 Kidder, David  
 McGuire, Dan  
 Tilton, Joy

### ROCKINGHAM

Abrami, Patrick  
 Borden, David  
 Cali-Pitts, Jacqueline  
 Copeland, Timothy  
 Devine, James  
 Emerson-Brown, Rebecca  
 Griffin, Mary  
 Heffron, Frank  
 Itse, Daniel  
 Lovejoy, Patricia  
 Milz, David  
 O'Connor, John  
 Priestley, Anne  
 Schlachman, Donna  
 St.James, Kevin  
 Till, Mary  
 Waterhouse, Kevin

Allen, Mary  
 Briden, Steven  
 Charron, Gene  
 Cushing, Robert Jr  
 Duarte, Joe  
 Ferrante, Beverly  
 Hagan, Joseph  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Major, Norman  
 Moody, Marcia  
 Packard, Sherman  
 Rice, Frederick  
 Schroadter, Adam  
 Sweeney, Joe  
 Tremblay, Stella  
 Webb, James Sr

Bick, Patrick  
 Burtis, Elizabeth  
 Chirichiello, Brian  
 Danaïs, Romeo  
 Dumaine, Dudley  
 Flockhart, Eileen  
 Harris, Jeffrey  
 Hoelzel, Kathleen  
 Khan, Aboul  
 Mann, Maureen  
 Muns, Chris  
 Pantelakos, Laura  
 Sanders, Elisabeth  
 Sedensky, John  
 Sytek, John  
 Tucker, Pamela  
 Weyler, Kenneth

Birdsell, Regina  
 Cahill, Michael  
 Comerford, Timothy  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Grace, Curtis  
 Hayes, Jack  
 Introne, Robert  
 Kolodziej, Walter  
 McMahon, Charles  
 Nigrello, Robert  
 Peckham, Michele  
 Scarlotto, Joe  
 Sherman, Thomas  
 Tamburello, Daniel  
 Ward, Gerald  
 Whittemore, Lisa

### STRAFFORD

Beaudoin, Steven  
 Gardner, Janice  
 Groen, Warren  
 Jones, Laura  
 Mullen, John Jr  
 Rogers, Rose Marie  
 Spang, Judith

Bickford, David  
 Ginsburg, Philip  
 Grossman, Kenneth  
 Ketel, Stephen  
 Pelletier, Marsha  
 Rollo, Deanna  
 Stevens, Audrey

Bixby, Peter  
 Grassie, Anne  
 Horrigan, Timothy  
 Malloy, Dennis  
 Perry, Robert  
 Schmidt, Peter  
 Verschuereen, James

Burdwood, Greg  
 Gray, James  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Pitre, Joseph  
 Smith, Marjorie  
 Wall, Janet

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
Smith, Steven

Gottling, Suzanne  
Sweeney, Cynthia

Grenier, James

**NAYS 32**  
**BELKNAP**

None

**CARROLL**

None

**CHESHIRE**

Berch, Paul

Weber, Lucy

**COOS**

Hammon, Marcia

**GRAFTON**

Cooney, Mary

**HILLSBOROUGH**

Beaulieu, Jane  
Rhodes, Brian  
Woodbury, David

Eaton, Richard  
Sullivan, Daniel

Goley, Jeffrey  
Vaillancourt, Steve

Jack, Martin  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Moffett, Howard  
Schamberg, Thomas  
Webb, Leigh

Bartlett, Christy  
Myler, Mel  
Schuett, Dianne

Davis, Frank  
Richardson, Gary  
Shurtleff, Stephen

Mackay, James  
Rogers, Katherine  
Wallner, Mary Jane

**ROCKINGHAM**

Thompson, David

**STRAFFORD**

Baber, William

Berube, Roger

Burke, Rachel

**SULLIVAN**

Schmidt, Andrew  
and the motion was adopted.

Tanner, Linda

**DEBATE ON SB 48**

**Speaker Norelli:** The question before the House is the committee amendment. The Chair recognizes the member from Haverhill, Representative Ladd.

**Rep. Ladd:** Thank you, Madam Speaker. I'll try to keep this brief. SB 48, if you have been looking at the web, there is a lot of consternation on this bill. I think that we need to really qualify what we have here – clarify. The amendment which you have before you is the bill. When this bill came to committee, there were a number of issues in which we looked at in terms of school performance and accountability and if you look through our statutes, presently we have a statute that we measure knowledge and skills. We've done that in our schools for years and years and years. The bill came to us and we are going to measure and promote knowledge, skills and dispositions. The committee really tried to understand what dispositions meant and if you look at the web you are going to find 'habits of mind' and basically as an educator, I have no room for that type of psychological mumbo-jumbo and so we went back to the old report cards which we've seen and we took dispositions out and we put in what everybody knows, work study habits. So, on one side we are measuring knowledge and skills and the other side we are promoting work study habits, listening in a classroom, following directions, all of that stuff that your teacher's try to get you to do when you are in grade school.

Some learned it, some didn't. Now, how we evaluate our, and measure, our education currently in accordance with No Child Left Behind, which was put into effect in 2001, we have 3 letters we call AYP, annual yearly progress, and by 2014 all students are going to have to be meeting in schools, are going to have to meet annual yearly progress. They are all going to have to be proficient. We know that there are subgroups within our schools, be it those which are socio-economic or special education, title I, English language learners. We have various groups where all students are not going to become proficient and this is a problem throughout our state. The system which we use to measure achievement, measure growth and holds schools accountable is basically broken. It is broken. No Child Left Behind is at the point where we need to replace it. In accordance with ESEA, Elementary Secondary Education Act, put into effect way back in 1965, modified again in 1994, a waiver can be asked for and this state along with a number of other states has asked for a waiver to No Child Left Behind. Currently, 38 states have been approved waivers and those waivers were approved given the fact that several of those states have not bought in to common core standards at all. Alaska hasn't, Texas hasn't, Minnesota went with language-English, but withdrew and didn't want to do mathematics, Indiana, Virginia. We are now one of 8 states, along with Texas, which have an application that's pending. Texas is another state that didn't buy in to common core. We have by principle. The other thing that this amendment does in terms of getting a background there, it integrates competencies into all levels of education in our schools. We've had those in place for years and years, we just called it different names: performance outcomes, criteria indicators. We should have competencies in place. We are required to do that in our high schools right now. Every course that a student takes in high school, there must be a course and/or measurement to which measures that the student is competent and why do we have that? We have it simply because we are tired of sending our kids on to college, community colleges where 70% that are applying are ending up to take remedial education at a cost which could be anywhere from \$500 per credit hour. We are wasting their money when we give a grade saying you are passing in high school in mathematics or English. They pass those competencies. We don't want to fool parents. We don't want to fool kids anymore. So, what we are doing is we are hoping we can move away from AYP and get this waiver in place. It has absolutely nothing to do with common core standards. We are getting the waiver as a result of the ESEA, No Child Left Behind. Common core standards is a different ball game. I myself am not very pleased the way we entered into common core standards in this state, with the state board getting the draft in June 2010, and July 2010 approving them by principle. There is also implementation cost, but this is not that. This is going to save us money. So I encourage you all to support this amendment. It is a good amendment. The committee worked hard on this and it was bipartisan support. Thank you very much.

**Speaker Norelli:** The question before the House is committee amendment on SB 48. Are you ready for the question? All those in favor, say Aye. Those opposed, Nay. The Ayes have it and the amendment is adopted. The question before the House is committee report of Ought to Pass as Amended on SB 48. The Chair recognizes the member from Nashua, Representative Murotake to speak in opposition to the committee report.

**Rep. Murotake:** Hello, I am going to make this as quick as possible. I've served on the Nashua Board of Education for the last several years. I may have been one of a very small number of elected officials that actually worked closely with the state board of education trying to understand the common core. I understand that the argument is that this bill has nothing to do with the common core, but I would beg to differ. It turns out that the common core is very complex. Part of the common core deal with curriculum standards. In other words, what content are you teaching? Others will deal with pedagogy, how do you deliver the content that you are teaching. There is another piece called assessment in which you determine basically how much of the information is being absorbed and understood by the students. Finally, following assessment, are the consequences. What do you do with the schools and the classrooms that are not teaching what you would like to have taught? Unfortunately, there are a number of difficulties with the assessment and consequences part. I would just like to read off a few of these things. For example, on the 27<sup>th</sup> and 30<sup>th</sup> of March, Hart Research Associates conducted a survey of 800 AFT teachers. Over 74% worry that the assessments will begin before students and teachers are ready to be tested. 39% say their districts will not be ready in time to begin their standardized assessments. The majority believe their districts have not done enough in terms of professional development to learn both content and pedagogy, develop model lesson plans and deploy the computers and network bandwidth needed to run the computerized assessments. On April 30<sup>th</sup> Education Secretary Arne Duncan admitted to flaws in standardized

common core assessments and consequences to the annual meeting of the American Educational Research Association. The assessments and consequences are all high stakes. The future of education reform and the career futures of teachers ride on these assessments and consequences. So rather than abandon standardized assessment, Duncan called for assessment 2.0, a rethink on common core assessments and consequences, essentially a moratorium. On the 30<sup>th</sup> of April, AFT President, Lisa Weingarten called for a moratorium on common core consequences citing the lack of readiness of standards, the school districts, the students and the teachers. Dennis Van Roekel, President of the NEA, also called for a 2-year moratorium on high stakes consequences. The following month, in May, the National School boards Association, the School Superintendent Association, the National Association of Elementary School Principals and the National Association of Secondary School Principals all supported a moratorium. Their joint memo states that states and districts face very real obstacles to align their curricula with the new standards and administer the required tests. So, basically, having chaired the curriculum and evaluation committee of the Nashua School District for the last several years, I share the concerns of all of these individuals. I happen to like a goodly portion of the common core, but I do not think that this is the right time for SB 48 and I ask all of you here to oppose Ought to Pass on this bill. Thank you.

### (Deputy Speaker Kaen in the Chair)

**Deputy Speaker Kaen:** Will the member entertain a question?

**Rep. Murotake:** In the interest of time, no.

**Deputy Speaker Kaen:** The member does not yield. The Chair recognizes the Representative from Rochester. The question before the House is the Ought to Pass as Amended motion recommended by the committee on SB 48. The Chair recognizes the member from Rochester, Representative Grassie to speak in favor of the committee report.

**Rep. Grassie:** Thank you, Madam Speaker. A little extra we had notwithstanding beforehand. This bill has very little to do with common core standards. This bill has to do with the fact that we are currently using an assessment program in our schools that is broken. AYP is broken. By 2015, every child has to be proficient and we know that can't happen. So, the state department of education has asked the federal government for a waiver for New Hampshire students. This bill aligns our statutes and the language with the waiver request. It's as simple as that. The committee worked on taking out the controversial, questionable statements that were left in it when it came back from the Senate and we took out dispositions. We want teachers to support work study habits for children. It's a bipartisan vote out of the education committee and I would like you to support us and vote yes. Thank you.

**Deputy Speaker Kaen:** The member does not yield to a question. The question before the House is the Ought to Pass as Amended committee recommendation on SB 48. The Chair now recognizes the member from Farmington, Representative Pitre to speak against the motion.

**Rep. Pitre:** Thank you, Madam Speaker. I rise in opposition to SB 48 that effectively puts common core in New Hampshire statute. In 1988, Marc Tucker became the President of the National Center of Education and Economy. He joined up with Hillary Clinton, Mario Cuomo and Ira Magaziner to get states to move away from local control of their schools and migrate to national standards. The evidence shows that powerful and influential people and organizations have collaborated to create a global education system that will track our children and move them toward a global perspective that takes away states individual sovereignty. Accountable performance standards will force all cities and towns to adopt common core at a tremendous cost. I am a school board member and very familiar with federal government programs and promises not kept. The federal government is barred from creating national standards, General Education Provisions Act and the 9<sup>th</sup> and 10<sup>th</sup> Amendments of the U.S. Constitution, so they allow this orchestration to happen and committed to funding other elements of the takeover. The Pioneer Institute estimated the implementation cost of national common core to be \$404 per child. An *Education Week* article from August 2012 estimated the cost of initial implementation of the program at \$289 per student. The state of Texas estimated a cost of \$3 billion for 4.85 million students to implement common core or \$620 per child. The New Hampshire school population is approximately 189,000 students. The cost to New Hampshire taxpayers would be \$54.6 to \$117.2 million to implement the total New Hampshire program. Just 1272 students at \$280 would be approximately \$368,000 or 76 cents on the property tax rate. Manchester would potentially incur cost of \$4.1 to \$8.9 million. Nationally there are 54.7 million students at \$289 each equates to nearly \$17 billion up to \$33 billion at \$620 per child, the potential

cost to taxpayers. I am amazed that there is no fiscal note on this bill. I would also question the unfounded mandate that this bill creates and violates the New Hampshire Constitution Amendment 28-a. The cost? The costs incurred by this bill are new books, educational material to transition from an education-based instruction to a training-based instruction. Training-based instruction readies our students for workforce, a dumbing-down of our student population nationwide. The biggest costs will be large amounts of technology required for teaching and assessment of the students the common core program. The Bill and Melinda Gates Foundation is actively advocating this program. The economic impact to the Microsoft Corporation, the Bill Gates goldmine, would be huge. Please help me defeat SB 48, Ought to Pass as Amended, and keep local control of our schools by pressing the red button. Thank you.

**Deputy Speaker Kaen:** Would the member yield to a question? The member does not yield. The question before the House is the committee report of Ought to Pass as Amended on SB 48. The Chair now recognizes the member from Nashua, Representative Gorman, to speak in favor of the committee report.

**Rep. Gorman:** Thank you, Madam Speaker and honorable colleagues. I rise in support of SB 48, as amended, and I do so for the following reasons. The purpose of SB 48 is to develop an assessment model which measures accurately the skills and knowledge of our high school graduates to ensure their preparedness for a career and college. SB 48 meets this purpose by first identifying schools that are struggling. Priority schools are those among the lowest performing 5% based on the achievement of all students on the statewide assessment tests and demonstrated lack of progress over a 3-year period. Focus schools are low performing schools that have the largest within school gaps between highest achieving groups or sub-groups and the lowest achieving groups or sub-groups. Priority schools and focus schools will be given a year to develop a plan and take action to address their inadequacies. This plan must be approved by the state board of education and if sufficient progress is not made, the department of education will issue a notice and initiate assistance. SB 48 also calls for measurable standards or student learning targets that represent key content specific concepts, skills and knowledge applied within or across content domains. Emphasis on mastery utilization and synthesis of knowledge is prescribed. Lastly, SB 48 promotes the habits which enhance learning and advance a positive work ethic. Examples include, listening, accepting responsibility for one's behavior, time management and working well with others. Please join me in pressing the green button in support of the committee report of Ought to Pass as Amended and I thank you.

**Deputy Speaker Kaen:** Would the member yield to a question? The member does not yield. The question before the House is the committee report of Ought to Pass as Amended on SB 48. The Chair now recognizes the Representative from Tuftonboro, Representative Cordelli to speak against the committee report.

**Rep. Cordelli:** Thank you, Madam Speaker and thank you, fellow Representatives. When you sent your children off to elementary school did you know who they would become? How about high school? Or, maybe when they left for college? Let's take a look at SB 48. In a new section it states, "Enable all students to progress toward college and career readiness with clearly defined learning outcomes." Let me repeat that, "clearly defined learning outcomes." Next, let's take a look at a recent article from the Concord Monitor. What is going on is that the department of education is presenting new administrative rules to the board of education that require local school districts to shift away from granting credits for graduation to passing competencies. We will get to that in a moment, but in this article the representative of the department of education is discussing competencies and says that students will still have the choice of which math courses to take to meet those skills or competencies but no matter what courses a student takes, they'll have the same set of knowledge as their peers. Does this bill put New Hampshire on a path for all students to master the same set of academic skills and knowledge? Are we revamping our education system to provide more for the individual needs of the students or are we trying to fit them all in the same little neat box? Now, back to competencies. We know that the department wants to move to a system of assessing competencies and requiring competencies rather than credits for graduation. SB 48 puts those competencies into statute. What are competencies? Competency based education is centered on skills and outcomes of learning. It emphasizes what students are expected to do. In the 1990's it became associated with what graduates would need for a 21<sup>st</sup> century work place. We see that in SB 48, college and career readiness. Let me quote former IBM CEO Louis Gerstner, "We are not interested in public schools teaching work related skills. We can teach them what they need to run a machine or develop a marketing plan. What is killing us is having to teach them to read, compute

and communicate.” In addition, SB 48 established the premise that students should advance based on passage of competencies rather than a predetermined amount of seat-time. Are we ready to pass SB 48 and put in place a radical shift to where a bright student can advance well beyond his peers and friends? Do we want an 11 or 12-year old as a junior in high school? Or maybe a 16 or 17-year old in middle school? Please consider there is another bill, SB 82 that establishes a commission to look into competencies. That bill, however, is being retained by the education committee because of multiple concerns, including whether competencies are appropriate for elementary school where we are trying to teach the fundamental basic building blocks of math, English and history. Are we not putting the cart before the horse by passing SB 48 before we can have a commission to look at competencies? If you have questions about what is going on and the impact on our children, please join me in voting no. Thank you.

**Deputy Speaker Kaen:** The question before the House is the Ought to Pass as Amended motion on SB 48. For what reason does the member rise?

**Rep. Boehm:** I'd like to make a motion.

**Deputy Speaker Kaen:** State your motion please.

**Rep. Boehm:** I'd like to make a motion to table SB 48 and request a division vote.

**Deputy Speaker Kaen:** The question before the House; it has been moved to table SB 48. Would the members please take their seats? This is a non-debatable motion. Would the Sergeant-at-Arms please have the members take their seats? This will be a division vote. The question before the House is the motion to table SB 48. The question before the House is the tabling motion on SB 48. Would the members please take their seats? Sergeant-at-Arms, thank you. This will be a division vote. The question before the House is the motion to table SB 48. If you are in favor of the motion, you will be pressing the green button. If opposed, you will press the red button. Stations will...Are you ready? The Chair recognizes Rep. Boehm for a parliamentary inquiry.

**Rep. Boehm:** Thank you, Madam Speaker. Madam Speaker, if I know that this bill is dependent on SB 82 which was retained by the education committee, which establishes a commission to identify strategies needed for developing and implementing a competency-based public education system. And, Madam Speaker, if I know that this bill assumes a competency-based system that has not been fully developed yet as per SB 82. And, Madam Speaker, if I know that this bill should have a fiscal note and that it will increase cost at the local level and as such is a 28-a issue and is not funded by the state. And, Madam Speaker, if I know that this bill puts the cart before the horse and has multiple problems, will you join me in pressing the green button to table this bill? Thank you.

**Deputy Speaker Kaen:** The question before the House is the motion to table SB 48. The Chair now recognizes Rep. Gile for a parliamentary inquiry.

**Rep. Gile:** Thank you very much, Madam Speaker. If I know that SB 48 is critical to New Hampshire's approval for a waiver and release from the requirements of No Child Left Behind. And, if I also know that 38 states already have waivers, 8 are under review, including New Hampshire. And, if I know that SB 48 has absolutely nothing to do with the core, the common core standards, would you please now vote red and vote down the motion to table. Thank you very much.

**Deputy Speaker Kaen:** The question before the House is the motion to table SB 48. This will be a division vote. If you are in favor of the motion, you will press the green button. If you are opposed to the tabling motion, you will press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 135 having voted in the affirmative and 189 in opposition, the motion fails. The question before the House is the Ought to Pass as Amended motion on SB 48. The Chair now recognizes Representative Harris for a parliamentary inquiry.

**Rep. Harris:** Thank you, Madam Speaker. If I know the purpose of this is to move all students to a clearly defined learning outcome. And, if I further know that teachers across this country are saying, we need to slow down. We have to slow down the march of these competencies and this new assessment system. And, if I know these competency-based student assessments will come and create problems for our athletic programs, our student athletes, their parents and also cause problems with scholarships, both athletic and academic. And, if I know, we do not know the cost of this to our state. And, if I know this bill repeals statutes relating to local control measures which focus on the growth of our students, would I now vote no on this Ought to Pass and give us time to review this major shift in education by pressing the red button? Madam Speaker, I ask for a roll call vote.

**Deputy Speaker Kaen:** A roll call has already been requested by Representative Tucker. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Members please



take their seats. The question before the House is the Ought to Pass as Amended committee recommendation on SB 48. Would the members please take their seats? The Chair now recognizes Representative Gile for a parliamentary inquiry.

**Rep. Gile:** Thank you, Madam Speaker. As I just said, if I know that SB 48, relative to school performance and accountability is critical to New Hampshire's approval for a waiver and release from the requirements of No Child Left Behind. And, if I also know that identifying schools as focus and priority schools, more clearly defines the specific needs of schools with challenges and the types of technical assistance required to improve student performance. And, if I know that SB 48, while promoting higher expectations for students, has nothing to do with common core and everything to do with the waiver request. And, finally, if I know that the SB 48 subcommittee met 3 times to agree on amendments to specific language and evaluation requirements and that the final amendment approved by the majority of the House Education Committee replaces all of the enacting clause of the original bill, which seems to have caused so much misunderstanding, would I now vote green and support the bipartisan 15-4 vote of the House Education Committee? Thank you, Madam Speaker.

**Deputy Speaker Kaen:** The question before the House is the Ought to Pass as Amended committee recommendation on SB 48. This will be a roll call vote. If you are in favor, you will press the green button. If you are opposed, you will press the red button. Stations will be open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 198 having voted in the affirmative, 134 in the negative, the motion passes. For what purpose does the member rise?

**Rep. Kurk:** To make a motion.

**Deputy Speaker Kaen:** You may state your motion.

**Rep. Kurk:** I move that the debate on SB 48 be printed in the Permanent Journal and I would ask to speak to my motion.

**Deputy Speaker Kaen:** The member is recognized to speak to his motion.

**Rep. Kurk:** Thank you, Madam Speaker. We just had a debate in which the proponents have asserted, stated, that this bill does not reflect or affect the common core and the opponents have stated the opposite. The proponents have prevailed. Therefore their view of the bill should prevail and in order to make sure in the future that neither the State Board of Education nor the Department of Education use this bill as support for suggesting that the Legislature has supported the introduction of the common core, the debate should be printed to resolve the issue. Thank you.

**Deputy Speaker Kaen:** The question before the House is to have the debate on SB 48 printed in the Permanent Journal. Are you ready for the question? A roll call has been requested by Representative Tamburello. That is sufficiently seconded. This will be a roll call vote. The question before the House is the motion to have the debate on SB 48 printed in the Permanent Journal. This will be a roll call vote on whether to print the debate in the Permanent Journal. Those in favor will press the green button. Those opposed the red button. Stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 300 having voted in the affirmative, 32 in the negative, the motion passes.

### REGULAR CALENDAR (CONT'D)

**SB 135-FN**, relative to the regulation of the practice of genetic counseling. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

**Rep. Lucy M. Weber** for the Majority of Executive Departments and Administration: The practice of genetic counseling is an emerging specialty. Currently, anyone can identify himself or herself as a genetic counselor, whether he or she has appropriate training or not. This bill was introduced to ensure that medical professionals and members of the public are advised in this most personal aspect of their lives by qualified professionals. The bill, as amended in its entirety by the committee amendment, defines the practice of genetic counseling, adds genetic counselors to the list of allied health professionals, establishes that all genetic counselors must be certified by either the American Board of Genetic Counselors or the American Board of Medical Genetics, establishes a genetics counseling governing board, and provides for NH state licensure by that board. It sets out requirements for licensure and specific guidelines for rulemaking. The bill establishes strict privacy controls for patients' genetic information. The majority of the committee was persuaded that regulation of this emerging field was necessary to ensure that services in this most personal and private area are delivered by qualified and ethical professionals. Vote 12-5.

Rep. Carol M. McGuire for the Minority of Executive Departments and Administration: This bill is an unnecessary overreach of government. The 20 or so genetic counselors in the state work with doctors, clinics, and hospitals, not direct to consumers. Doctors know - or can easily learn - how to find a qualified genetic counselor, and individuals typically approach their doctors first, as with any medical question. All the patient harm the committee heard about was due to doctors and other medical professionals (exempted from licensing and other restrictions by SB 135) acting beyond their knowledge, not from non-qualified people claiming to be genetic counselors, and SB 135 will not fix that. There is no need to license yet another narrow profession.

### **Majority Amendment (1718h)**

Amend the bill by replacing all after the enacting clause with the following:

I New Chapter; Genetic Counselors. Amend RSA by inserting after chapter 326-J the following new chapter:

#### **CHAPTER 326-K GENETIC COUNSELORS**

326-K:1 Definitions. In this chapter and RSA 328-F:

- I. "ABGC" means the American Board of Genetic Counseling, its equivalent, or successor.
- II. "ABMG" means the American Board of Medical Genetics, its equivalent, or successor.
- III. "Board" means the genetic counselors governing board established in RSA 328-F.
- IV. "Genetic counselor" means an individual, who is licensed by the board under this chapter, to engage in the practice of genetic counseling.
- V. "NSGC" means the National Society of Genetic Counselors, its equivalent, or successor.
- VI. "Practice of genetic counseling" means, for the purposes of advising an individual client, a client's family, or other licensed health care professionals:
  - (a) Obtaining and evaluating individual, family, and medical histories to determine genetic risk for genetic or medical conditions and diseases in a patient, his or her offspring, and other family members;
  - (b) Discussing the features, natural history, means of diagnosis, genetic and environmental factors, and management of risk for genetic or medical conditions and diseases;
  - (c) Identifying and coordinating genetic laboratory tests and other diagnostic studies as appropriate for the genetic assessment;
  - (d) Integrating genetic laboratory test results and other diagnostic studies with personal and family medical history to assess and communicate risk factors for genetic or medical conditions and diseases;
  - (e) Explaining the clinical implications of genetic laboratory tests and other diagnostic studies and their results;
  - (f) Evaluating the client's or family's responses to the condition or risk of recurrence and provide client-centered counseling and anticipatory guidance; and
  - (g) Providing written documentation of medical, genetic, and counseling information for families and health care professionals.

326-K:2 Exemptions from Licensure. Except for the requirements under RSA 326-K:8, the requirements for licensure under this chapter shall not apply to:

- I. Any person licensed by the state to practice in a profession other than that of genetic counseling when acting within the scope of the person's profession and doing work of a nature consistent with the person's training. Such person shall not hold himself or herself out to the public as a genetic counselor.
- II. Any person employed as a genetic counselor by the federal government or an agency thereof if such person provides genetic counseling services solely under the direction and control of the organization by which he or she is employed.
- III. A student, if the following conditions apply:
  - (a) The student is enrolled in an ABGC accredited genetic counseling educational program;
  - (b) The genetic counseling services performed by the student are an integral part of the student's course of study;
  - (c) The genetic counseling services are performed under the direct supervision of a licensed genetic counselor; and
  - (d) The student is designated by the title, "genetic counseling intern."

326-K:3 Eligibility for Initial Licensure. In addition to requirements under RSA 328-F, the board shall require the following as a minimum to qualify for licensure. Each applicant shall:

- I. Comply with the NSGC Code of Ethics.
- II. Provide satisfactory evidence of having fulfilled the following criteria:
  - (a) Genetic counselor currently certified by ABGC or ABMG; or
  - (b) Medical geneticist currently certified by ABMG.
- III. Be at least 18 years of age.
- IV. Be of good moral character.

V. Demonstrate sufficient evidence of good professional character and reliability to satisfy the board that the applicant shall faithfully and conscientiously avoid professional misconduct and adhere to this chapter, RSA 328-F, and the board's rules.

326-K:4 Provisional License.

I. A provisional license may be issued by the board to an applicant who meets all of the requirements for licensure except for the certification component and has been granted active candidate status by ABGC.

II. A provisional license shall be valid for the ABGC examination cycle for which active candidate status by the ABGC has been granted. Such provisional license shall expire automatically upon the earliest of the following:

- (a) Issuance of a full license;
- (b) Thirty days after the applicant fails to pass the certification examination; or
- (c) Two years from the issuance of a provisional license.

III. A provisional license may only be extended upon approval of the board for good cause shown.

IV. A provisional licensed genetic counselor shall work under the general supervision of a licensed genetic counselor or a licensed physician at all times during which the provisional licensed genetic counselor performs genetic counseling. An application for extension of the provisional license shall be signed by the supervising licensed genetic counselor or supervising licensed physician.

V. The board is authorized to issue conditional provisional licenses in accordance with rules adopted pursuant to RSA 541-A.

326-K:5 Prohibition on Unlicensed Practice; Professional Identification.

I. No person shall practice or represent himself or herself as a genetic counselor in this state without first applying for and receiving a license or provisional license from the board to practice as a licensed genetic counselor.

II. A genetic counselor whose license is suspended or revoked or whose surrender of license with or without prejudice has been accepted by the board, shall promptly deliver the original license to the board.

III. Individuals holding currently valid licenses issued under this chapter may use the title "genetic counselor" and write the designation "licensed genetic counselor" following his or her written name.

IV. No person shall represent himself or herself or the services offered by using the term genetic counselor unless he or she is licensed in accordance with this chapter. No person, who is not so licensed may use in connection with his or her name or place of business, the title "genetic counselor," "licensed genetic counselor," "gene counselor," "genetic consultant," "genetic associate," or any words, letters, abbreviations or insignia indicating or implying a person holds a genetic counseling license, or any similar words if the intent of such use is to imply that the person is licensed.

V. Any person who states or implies by word or act that he or she is currently licensed to practice genetic counseling at a time when he or she does not hold a currently valid license shall be guilty of a misdemeanor.

326-K:6 Reciprocity. The board may, in its discretion, grant a license under this chapter to an individual certified or licensed in another state if it determines that the requirements or standards for certification or licensure in that state are equivalent to, or greater than, those established by this chapter.

326-K:7 Compensation. Notwithstanding RSA 328-F:6 and RSA 328-F:15, I(g), the members of genetic counselors governing board shall serve without compensation for attendance at meetings and shall not be reimbursed for travel expenses incurred in connection with the work of the board.

326-K:8 Privileged Communications. In addition to RSA 328-F:28:

I. No person shall disclose any information or results related to a genetic evaluation, assessment, laboratory test, diagnostic study, or written documentation of genetic counseling, to any person other than the client without prior written consent.

II. Information and results may be made available to the board for use in an investigation or disciplinary proceeding under RSA 328-F concerning a licensed genetic counselor only if the results are coded to maintain confidentiality of the client.

III. A violation of this section shall be subject to a civil action by an aggrieved individual and, if successful, the aggrieved individual shall be awarded special or general damages of not less than \$10,000 for each violation, and costs and reasonable legal fees.

#### 326-K:9 Rulemaking.

I. In addition to rules adopted pursuant to RSA 328-F:11, the board shall adopt rules pursuant to RSA 541-A relative to:

(a) Eligibility requirements for provisional licenses.

(b) Application procedures for provisional licenses.

(c) The requirements for direction and supervision of those practicing under provisional licenses.

(d) The limitations on practice imposed on those practicing under provisional licenses.

326-K:10 Eligibility for Renewal of Licenses. Licensees are eligible for renewal of their licenses if they:

I. Have completed 50 hours of continuing education which meet the requirements established by the board through rulemaking pursuant to RSA 541-A and at least 50 percent of which are directly related to the practice of genetic counseling.

II. Have not violated this chapter or RSA 328-F nor demonstrated poor professional character.

2 Allied Health Professionals; Definition; Governing Board. Amend RSA 328-F:2, II to read as follows:

II. "Governing boards" means individual licensing boards of athletic trainers, occupational therapy assistants, occupational therapists, recreational therapists, physical therapists, physical therapist assistants, respiratory care practitioners, ~~[and]~~ speech-language pathologists, *and genetic counselors*.

3 New Paragraph; Allied Health Professionals; Genetic Counseling. Amend RSA 328-F:2 by inserting after paragraph IX the following new paragraph:

X. "Genetic counseling" means genetic counseling as defined in RSA 326-K:1.

4 Governing Board; Establishment. Amend RSA 328-F:3, I to read as follows:

I. There shall be established governing boards of athletic trainers, occupational therapists, recreational therapists, respiratory care practitioners, physical therapists, ~~[and]~~ speech-language pathologists, *and genetic counselors*.

5 New Paragraph; Genetic Counselors; Governing Board; Appointment. Amend RSA 328-F:4 by inserting after paragraph IX the following new paragraph:

X. The genetic counselors governing board shall consist of 3 licensed genetic counselors, who have actively engaged in the practice of genetic counseling in this state for at least 2 years, one practicing physician with experience in working with genetic counselors, and one public member. Initial appointment of professional members by the governor and council shall be qualified persons practicing genetic counseling in this state. All subsequent appointments or reappointments shall require licensure.

6 Renewals; Reference to Genetic Counselors Added. Amend RSA 328-F:19, I to read as follows:

I. Initial licenses and renewals shall be valid for 2 years, except that timely and complete application for license renewal by eligible applicants shall continue the validity of the licenses being renewed until the governing board has acted on the renewal application. Licenses issued pursuant to RSA 328-A, RSA 326-G, and RSA 326-J shall expire in even-numbered years and licenses issued pursuant to RSA 326-C, RSA 326-E, ~~[and]~~ RSA 326-F, *and RSA 326-K* shall expire in odd-numbered years.

7 Genetic Testing; Disclosure; Medical Practice or Hospital. Amend RSA 141-H:2, III to read as follows:

III. Except as provided in paragraph II, or authorized by RSA 141-J, no person shall disclose to any other person that an individual has undergone genetic testing, and no person shall disclose the results of such testing to any other person, without the prior written and informed consent of the individual, the parent, guardian, or custodian if the individual is a minor under the age of 18, or the legal guardian or conservator if the individual is an incompetent person. ~~[Discussion and disclosure of genetic testing for a patient, requested of a physician by a patient, by appropriate professionals within a physician's medical practice or hospital shall not be a violation of this chapter.]~~

8 Effective Date. This act shall take effect July 1, 2013.

**AMENDED ANALYSIS**

This bill establishes the genetic counselors governing board in the office of licensed allied health professionals for the regulation of the practice of genetic counseling in this state. The bill also requires that professionals exempted from licensure but engaged in genetic counseling comply with the disclosure requirements applicable to genetic counselors.

Majority committee amendment adopted.

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

Reps. John Hunt and Carol McGuire spoke against.

Rep. Weber spoke in favor and yielded to questions.

Rep. Tucker requested a roll call; sufficiently seconded.

**YEAS 180 NAYS 140****YEAS 180  
BELKNAP**

DiMartino, Lisa	Gulick, Ruth	Huot, David	Raymond, Ian
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**CARROLL**

Buco, Thomas	Butler, Edward	Ticehurst, Susan	White, Syndi
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**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Emerson, Susan	Johnsen, Gladys	Ley, Douglas
Mann, John	Parkhurst, Henry	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	Weed, Charles

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne			

**GRAFTON**

Aguiar, James	Almy, Susan	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Doolan, Ralph Jr	Ford, Susan	Friedrich, Carol
Harding, Laurie	Higgins, Patricia	Lauer, Linda	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Smith, Suzanne	Sykes, George	Townsend, Charles	

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Campbell, David	Carroll, Douglas
Cebrowski, John	Chandley, Shannon	Connor, Evelyn	Cote, David
Danielson, David	DiSilvestro, Linda	Eaton, Richard	Gage, Ruth
Gale, Sylvia	Gargas, Carolyn	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin	Judy, Jean
Kelley, John	Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Manley, Jonathan Sr
McCloskey, David	McNamara, Richard	Nelson, Mary	O'Brien, Michael Sr
Porter, Marjorie	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Shaw, Barbara	Spratt, Stephen	Sullivan, Daniel	Sullivan, Peter
Vail, Suzanne	Walsh, Robert Jr	Williams, Kermit	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Andrews, Christopher	Bartlett, Christy	Bouchard, Candace
Burns, Scott	Carey, Lorrie	Carson, Clyde	Davis, Frank
Ebel, Karen	Frambach, Mary	Frazer, June	French, Barbara
Gile, Mary	Hirsch, Geoffrey	Hunt, Jane	Karrick, David Jr
Lockwood, Priscilla	MacKay, James	Moffett, Howard	Myler, Mel
Patten, Dick	Ratzki, Mario	Rice, Chip	Richardson, Gary
Rogers, Katherine	Schamberg, Thomas	Schuetz, Dianne	Shurtleff, Stephen
Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth	Webb, Leigh

**ROCKINGHAM**

Borden, David  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Mann, Maureen  
Schlachman, Donna  
Ward, Gerald

Briden, Steven  
Copeland, Timothy  
Heffron, Frank  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

Burtis, Elizabeth  
Cushing, Robert Jr  
Khan, Aboul  
Muns, Chris  
Till, Mary

Cahill, Michael  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Tremblay, Stella

**STRAFFORD**

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Rogers, Rose Marie  
Spang, Judith

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Rollo, Deanna  
Verschueren, James

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie

**SULLIVAN**

Cloutier, John  
Schmidt, Andrew

Gagnon, Raymond  
Sweeney, Cynthia

Gottling, Suzanne  
Tanner, Linda

Irwin, Virginia

**NAYS 140****BELKNAP**

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

Flanders, Donald  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Hunt, John

Johnson, Jane

Roberts, Kris

**COOS**

Rappaport, Laurence

Richardson, Herbert

Theberge, Robert

**GRAFTON**

Bradley, Lester

Ladd, Rick Jr

Piper, Wendy

Reilly, Harold Sr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Graham, John  
Infantine, William  
LeBrun, Donald  
Martel, Andre  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Vaillancourt, Steve  
Winters, Joel

Belanger, James  
Christiansen, Lars  
Flanagan, Jack  
Haefner, Robert  
Jasper, Shawn  
Levasseur, Nickolas  
McCarthy, Michael  
O'Brien, William  
Parison, James  
Rowe, Robert  
Straight, Philip  
Villeneuve, Moe

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Hansen, Peter  
Kurk, Neal  
LeVasseur, Richard  
Meaney, Richard  
O'Flaherty, Tim  
Pellegrino, Tony  
Sanborn, Laurie  
Takesian, Charlene  
Warden, Mark

Burt, John  
Culbert, Patrick  
Garcia, Michael  
Hikel, John  
Lambert, George  
Marston, Dick  
Murotake, David  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Ulery, Jordan  
Willette, Robert

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.

Kotowski, Frank

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Bick, Patrick	Birdsell, Regina
Charron, Gene	Chirichiello, Brian	Comerford, Timothy	Danais, Romeo
DeSimone, Debra	Devine, James	Duarte, Joe	Dumaine, Dudley
Emerick, J. Tracy	Ferrante, Beverly	Grace, Curtis	Griffin, Mary
Hagan, Joseph	Harris, Jeffrey	Hayes, Jack	Hodgdon, Bruce
Hoelzel, Kathleen	Introne, Robert	Itse, Daniel	Kappler, Lawrence
Kolodziej, Walter	Major, Norman	Milz, David	Nigrello, Robert
O'Connor, John	Packard, Sherman	Peckham, Michele	Priestley, Anne
Rice, Frederick	Sanders, Elisabeth	Scarlotta, Joe	Schroadter, Adam
Sedensky, John	St.James, Kevin	Sweeney, Joe	Sytek, John
Tamburello, Daniel	Tucker, Pamela	Waterhouse, Kevin	Webb, James Sr
Weyler, Kenneth			

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Gray, James	Groen, Warren
Jones, Laura	Menear, H. Robert III	Mullen, John Jr	Pitre, Joseph
Stevens, Audrey			

**SULLIVAN**

Grenier, James                      Smith, Steven

and the majority committee report was adopted and ordered to third reading.

**(Speaker Norelli in the Chair)**

**SB 129-FN**, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS.**

Rep. Cindy Rosenwald for the Majority of Finance: The objective of this bill is to limit the population of committed youth at the Sununu Center to those who are dangerous to themselves or others through periodic court reviews and appointment of counsel. The amendment adds a one-year \$5.3 million federal grant that was awarded to the insurance department in April, after the budget had passed the House. This grant, which has no state match, is to provide assistance to consumers in obtaining tax credits to purchase health insurance without interrupting the department's traditional role in regulating the insurance market or interfering with the existing insurance producer environment. The amended bill does not authorize any policy of how the grant money will be spent on consumer assistance; its sole function is to accept the federal grant. The oversight committee on health reform implementation established in RSA 420-N:3 shall determine all policies regarding implementation of the Affordable Care Act. Vote 15-8.

Rep. Dan McGuire for the Minority of Finance: SB 129 is a valuable bill which would reduce the population of juvenile delinquents at the Sununu Youth Center to just those violent offenders who are a danger to the public or themselves. Incarceration is ineffective for others and is very expensive, roughly \$250,000 each. The amendment would accept a one-year federal grant for the insurance department to inform the public about the federal Affordable Care Act (aka Obamacare) and market its features to consumers. There are two problems with this. First, this is an entirely federal program. NH had an opportunity to be involved and we declined. It is more appropriate for the federal government to implement the act directly, including public awareness. This would be the likely outcome if we reject the grant. Second, attaching an amendment like this risks the passage of the worthwhile underlying bill, as we have seen many times in the past.

**Majority Amendment (1905h)**

Amend the title of the bill by replacing it with the following:

AN ACT        relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center and making a supplemental appropriation to the insurance department.

Amend the bill by replacing all after section 8 with the following:

9 Appropriation; Insurance Department; Consumer Assistance Grant. In addition to any other sums appropriated for the fiscal year ending June 30, 2014, the following appropriation is hereby authorized to the department of insurance:

02-24	Department of Insurance		
02-24-24-240010-1235	Consumer Assistance Grant		
02-24-24-240010-1235 020	Current Expense	Federal Funds	\$15,300
02-24-24-240010-1235 030	Equipment	Federal Funds	\$500
02-24-24-240010-1235 041	Audit set Aside	Federal Funds	\$5,374
02-24-24-240010-1235 046	Consultants	Federal Funds	\$3,164,802
02-24-24-240010-1235 050	Personal Services Part Time Temp	Federal Funds	\$18,414
02-24-24-240010-1235 060	Benefits	Federal Funds	\$1,408
02-24-24-240010-1235 070	In-State Travel	Federal Funds	\$20,688
02-24-24-240010-1235 080	Out of State Travel	Federal Funds	\$17,898
02-24-24-240010-1235 102	Contracts for Program Services	Federal Funds	\$2,128,298
		Total:	\$5,372,682

10 Effective Date.

I. Sections 1-8 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect July 1, 2013.

### AMENDED ANALYSIS

This bill:

I. Limits the commitment of children to the youth development center to cases where a court is presented with evidence that a juvenile is dangerous.

II. Provides a definition for shelter care facility in cases involving juvenile delinquency and children in need of services.

III. Requires that the department make treatment available in both non-secure and secure settings.

IV. Creates a presumption of parole after 6 months for children at the youth development center for non-violent offenses.

V. Provides for a right to counsel for children facing revocation of their parole from the youth development center, which cannot be waived if the child has a disability.

VI. Provides for periodic court review of cases where a juvenile is held at the youth development center for more than 6 months.

VII. Makes a supplemental appropriation to the insurance department for consumer assistance grants.

Rep. Dan McGuire spoke against.

Rep. Butler spoke in favor and yielded to questions.

Rep. Rosenwald requested a roll call; sufficiently seconded.

**YEAS 175 NAYS 137**

### YEAS 175

### BELKNAP

DiMartino, Lisa	Gulick, Ruth	Huot, David	Raymond, Ian
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### CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan	White, Syndi
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### CHESHIRE

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Emerson, Susan	Johnsen, Gladys	Ley, Douglas
Mann, John	Roberts, Kris	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	Weed, Charles

### COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Theberge, Robert		

### GRAFTON

Aguiar, James	Almy, Susan	Benn, Bernard	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Higgins, Patricia
Lauer, Linda	Lovett, Sid	Massimilla, Linda	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy	Sykes, George
Townsend, Charles			



**HILLSBOROUGH**

Backus, Robert  
 Chandley, Shannon  
 Eaton, Richard  
 Gorman, Mary  
 Hansberry, Daniel  
 Jeudy, Jean  
 Leishman, Peter  
 MacKay, Mariellen  
 Nelson, Mary  
 Shattuck, Gilman  
 Sullivan, Peter  
 Winters, Joel

Beaulieu, Jane  
 Connor, Evelyn  
 Gage, Ruth  
 Grady, Brenda  
 Harriott-Gathright, Linda  
 Kelley, John  
 Levasseur, Nickolas  
 Manley, Jonathan Sr  
 Porter, Marjorie  
 Shaw, Barbara  
 Vail, Suzanne  
 Woodbury, David

Campbell, David  
 Cote, David  
 Gale, Sylvia  
 Hackel, Paul  
 Heden, Ruth  
 Knowles, Mary Ann  
 Levesque, Melanie  
 McCloskey, David  
 Rosenwald, Cindy  
 Spratt, Stephen  
 Walsh, Robert Jr

Carroll, Douglas  
 DiSilvestro, Linda  
 Goley, Jeffrey  
 Hammond, Jill  
 Jack, Martin  
 Kopka, Angeline  
 Long, Patrick  
 McNamara, Richard  
 Schmidt, Janice  
 Sullivan, Daniel  
 Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
 Carson, Clyde  
 Frazer, June  
 Hunt, Jane  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Webb, Leigh

Bartlett, Christy  
 Davis, Frank  
 French, Barbara  
 Karrick, David Jr  
 Patten, Dick  
 Rogers, Katherine  
 Tilton, Joy

Bouchard, Candace  
 Ebel, Karen  
 Gile, Mary  
 MacKay, James  
 Ratzki, Mario  
 Schamberg, Thomas  
 Wallner, Mary Jane

Burns, Scott  
 Frambach, Mary  
 Hirsch, Geoffrey  
 Moffett, Howard  
 Rice, Chip  
 Schuett, Dianne  
 Walz, Mary Beth

**ROCKINGHAM**

Borden, David  
 Cali-Pitts, Jacqueline  
 Heffron, Frank  
 Moody, Marcia  
 Schlachman, Donna  
 Whittemore, Lisa

Briden, Steven  
 Cushing, Robert Jr  
 Khan, Aboul  
 Muns, Chris  
 Sherman, Thomas

Burtis, Elizabeth  
 Emerson-Brown, Rebecca  
 Lovejoy, Patricia  
 Pantelakos, Laura  
 Till, Mary

Cahill, Michael  
 Flockhart, Eileen  
 Mann, Maureen  
 Scarlotto, Joe  
 Ward, Gerald

**STRAFFORD**

Baber, William  
 Burdwood, Greg  
 Grassie, Anne  
 Kaen, Naida  
 Perry, Robert  
 Smith, Marjorie  
 Wall, Janet

Berube, Roger  
 Burke, Rachel  
 Grossman, Kenneth  
 Ketel, Stephen  
 Rogers, Rose Marie  
 Spang, Judith

Bickford, David  
 Gardner, Janice  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rollo, Deanna  
 Stevens, Audrey

Bixby, Peter  
 Ginsburg, Philip  
 Hubbard, Pamela  
 Pelletier, Marsha  
 Schmidt, Peter  
 Verschueren, James

**SULLIVAN**

Cloutier, John  
 Schmidt, Andrew

Gagnon, Raymond  
 Sweeney, Cynthia

Gottling, Suzanne  
 Tanner, Linda

Irwin, Virginia

**NAYS 137****BELKNAP**

Burchell, Richard  
 Holmes, Stephen  
 Worsman, Colette

Fields, Dennis  
 Sylvia, Michael

Fink, Charles  
 Tilton, Franklin

Greemore, Robert Jr  
 Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
 McConkey, Mark  
 Umberger, Karen

Chandler, Gene  
 Merrow, Harry  
 Wright, Donald

Cordelli, Glenn  
 Nelson, Bill

Crawford, Karel  
 Schmidt, Stephen

**CHESHIRE**

Hunt, John

Johnson, Jane

Parkhurst, Henry

**COOS**

Rappaport, Laurence

Richardson, Herbert

**GRAFTON**

Bradley, Lester  
Reilly, Harold Sr

Brown, Rebecca

Doolan, Ralph Jr

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Haefner, Robert  
Jasper, Shawn  
LeVasseur, Richard  
Murotake, David  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Ulery, Jordan  
Willette, Robert

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hansen, Peter  
Kurk, Neal  
Martel, Andre  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Vaillancourt, Steve

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gargas, Carolyn  
Hikel, John  
Lambert, George  
McCarthy, Michael  
O'Brien, William  
Parison, James  
Rowe, Robert  
Straight, Philip  
Villeneuve, Moe

Burt, John  
Coffey, James  
Flanagan, Jack  
Graham, John  
Infantine, William  
LeBrun, Donald  
Meaney, Richard  
O'Flaherty, Tim  
Pellegrino, Tony  
Sanborn, Laurie  
Takesian, Charlene  
Warden, Mark

**MERRIMACK**

Andrews, Christopher  
McGuire, Carol

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank

Lockwood, Priscilla

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Copeland, Timothy  
Dumaine, Dudley  
Griffin, Mary  
Hodgdon, Bruce  
Kappler, Lawrence  
Nigrello, Robert  
Priestley, Anne  
Sedensky, John  
Tremblay, Stella  
Weyler, Kenneth

Allen, Mary  
Charron, Gene  
Dana, Romeo  
Emerick, J. Tracy  
Hagan, Joseph  
Hoelzel, Kathleen  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
St. James, Kevin  
Tucker, Pamela

Baldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Ferrante, Beverly  
Harris, Jeffrey  
Introne, Robert  
Major, Norman  
Packard, Sherman  
Sanders, Elisabeth  
Sweeney, Joe  
Waterhouse, Kevin

Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Grace, Curtis  
Hayes, Jack  
Itse, Daniel  
Milz, David  
Peckham, Michele  
Schroader, Adam  
Sytek, John  
Webb, James Sr

**STRAFFORD**

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

**SULLIVAN**

Grenier, James  
and the majority committee amendment was adopted.

Smith, Steven

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. John Hunt offered floor amendment (1967h).

**Floor Amendment (1967h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center and making a supplemental appropriation to the insurance department.

Amend the bill by replacing all after section 8 with the following:

9 Appropriation; Insurance Department; Consumer Assistance Grant. In addition to any other sums appropriated for the fiscal year ending June 30, 2014, the following appropriation is hereby authorized to the department of insurance:

02-24 Department of Insurance  
02-24-24-240010-1235 Consumer Assistance Grant

02-24-24-240010-1235 020	Current Expense	Federal Funds	\$15,300
02-24-24-240010-1235 030	Equipment	Federal Funds	\$500
02-24-24-240010-1235 041	Audit set Aside	Federal Funds	\$5,374
02-24-24-240010-1235 046	Consultants	Federal Funds	\$3,164,802
02-24-24-240010-1235 050	Personal Services Part Time Temp	Federal Funds	\$18,414
02-24-24-240010-1235 060	Benefits	Federal Funds	\$1,408
02-24-24-240010-1235 070	In-State Travel	Federal Funds	\$20,688
02-24-24-240010-1235 080	Out of State Travel	Federal Funds	\$17,898
02-24-24-240010-1235 102	Contracts for Program Services	Federal Funds	<u>\$2,128,298</u>
		Total:	\$5,372,682

10 Approval by Joint Health Care Reform Oversight Committee. The department of insurance may expend funds appropriated in section 9 of this act only with prior approval of the joint health care reform oversight committee established in RSA 420-N:3. This requirement shall not apply to the acceptance of grants or to transfers of appropriations.

11 Effective Date.

I. Sections 1-8 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect July 1, 2013.

### AMENDED ANALYSIS

This bill:

I. Limits the commitment of children to the youth development center to cases where a court is presented with evidence that a juvenile is dangerous.

II. Provides a definition for shelter care facility in cases involving juvenile delinquency and children in need of services.

III. Requires that the department make treatment available in both non-secure and secure settings.

IV. Creates a presumption of parole after 6 months for children at the youth development center for non-violent offenses.

V. Provides for a right to counsel for children facing revocation of their parole from the youth development center, which cannot be waived if the child has a disability.

VI. Provides for periodic court review of cases where a juvenile is held at the youth development center for more than 6 months.

VII. Makes a supplemental appropriation to the insurance department for consumer assistance grants.

Rep. John Hunt spoke in favor.

Rep. Huot spoke against and yielded to questions.

Rep. Rosenwald requested a roll call; sufficiently seconded.

### YEAS 140 NAYS 170

#### YEAS 140

#### BELKNAP

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

Flanders, Donald  
Tilton, Franklin

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Hunt, John

Johnson, Jane

Roberts, Kris

#### COOS

Hammon, Marcia

Rappaport, Laurence

Richardson, Herbert

Theberge, Robert

#### GRAFTON

Bradley, Lester  
Reilly, Harold Sr

Brown, Rebecca

Doolan, Ralph Jr

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Haefner, Robert  
Kurk, Neal  
Martel, Andre  
Nelson, Mary  
Palmer, Stephen  
Pratt, Calvin  
Straight, Philip  
Villeneuve, Moe

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hansen, Peter  
Lambert, George  
McCarthy, Michael  
Notter, Jeanine  
Parison, James  
Rowe, Robert  
Takesian, Charlene  
Warden, Mark

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gargas, Carolyn  
Hikel, John  
LeBrun, Donald  
Meaney, Richard  
O'Brien, William  
Pellegirino, Tony  
Sanborn, Laurie  
Ulery, Jordan

Burt, John  
Coffey, James  
Flanagan, Jack  
Graham, John  
Infantine, William  
LeVasseur, Richard  
Murotake, David  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Vaillancourt, Steve

**MERRIMACK**

Hess, David  
McGuire, Carol

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank

Lockwood, Priscilla

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Comerford, Timothy  
Duarte, Joe  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
Milz, David  
Peckham, Michele  
Scarlotto, Joe  
Sweeney, Joe  
Waterhouse, Kevin

Allen, Mary  
Cali-Pitts, Jacqueline  
Copeland, Timothy  
Dumaine, Dudley  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
Nigrello, Robert  
Priestley, Anne  
Schroader, Adam  
Sytek, John  
Webb, James Sr

Baldasaro, Alfred  
Charron, Gene  
Danais, Romeo  
Emerick, J. Tracy  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Tremblay, Stella  
Weyler, Kenneth

Bick, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Ferrante, Beverly  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
Packard, Sherman  
Sanders, Elisabeth  
St.James, Kevin  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Pitre, Joseph

Groen, Warren

**SULLIVAN**

Grenier, James

Smith, Steven

**NAYS 170****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Shepardson, Marjorie

Berch, Paul  
Emerson, Susan  
Parkhurst, Henry  
Tatro, Bruce

Burridge, Delmar  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Sad, Tara  
Weed, Charles

**COOS**

Coulombe, Gary

Enman, Larry

Hatch, William

Moynihan, Wayne

**GRAFTON**

Aguiar, James  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Townsend, Charles

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz

Benn, Bernard  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy

Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
 Chandley, Shannon  
 Eaton, Richard  
 Gorman, Mary  
 Hansberry, Daniel  
 Jeudy, Jean  
 Leishman, Peter  
 MacKay, Mariellen  
 O'Brien, Michael Sr  
 Schmidt, Janice  
 Sullivan, Peter  
 Williams, Kermit

Beaulieu, Jane  
 Connor, Evelyn  
 Gage, Ruth  
 Grady, Brenda  
 Harriott-Gathright, Linda  
 Kelley, John  
 Levasseur, Nickolas  
 Manley, Jonathan Sr  
 O'Flaherty, Tim  
 Shattuck, Gilman  
 Vail, Suzanne  
 Winters, Joel

Campbell, David  
 Cote, David  
 Gale, Sylvia  
 Hackel, Paul  
 Heden, Ruth  
 Knowles, Mary Ann  
 Levesque, Melanie  
 McCloskey, David  
 Porter, Marjorie  
 Shaw, Barbara  
 Walsh, Robert Jr  
 Woodbury, David

Carroll, Douglas  
 DiSilvestro, Linda  
 Goley, Jeffrey  
 Hammond, Jill  
 Jack, Martin  
 Kopka, Angeline  
 Long, Patrick  
 McNamara, Richard  
 Rosenwald, Cindy  
 Spratt, Stephen  
 Willette, Robert

**MERRIMACK**

Alicea, Caroletta  
 Carson, Clyde  
 Frazer, June  
 Hunt, Jane  
 Myler, Mel  
 Rogers, Katherine  
 Tilton, Joy

Bartlett, Christy  
 Davis, Frank  
 French, Barbara  
 Karrick, David Jr  
 Ratzki, Mario  
 Schamberg, Thomas  
 Wallner, Mary Jane

Bouchard, Candace  
 Ebel, Karen  
 Gile, Mary  
 MacKay, James  
 Rice, Chip  
 Schuett, Dianne  
 Walz, Mary Beth

Burns, Scott  
 Frambach, Mary  
 Hirsch, Geoffrey  
 Moffett, Howard  
 Richardson, Gary  
 Shurtleff, Stephen  
 Webb, Leigh

**ROCKINGHAM**

Borden, David  
 Cushing, Robert Jr  
 Heffron, Frank  
 Muns, Chris  
 Till, Mary

Briden, Steven  
 Emerson-Brown, Rebecca  
 Lovejoy, Patricia  
 Pantelakos, Laura  
 Ward, Gerald

Burtis, Elizabeth  
 Flockhart, Eileen  
 Mann, Maureen  
 Schlachman, Donna  
 Whittemore, Lisa

Cahill, Michael  
 Hayes, Jack  
 Moody, Marcia  
 Sherman, Thomas

**STRAFFORD**

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Ketel, Stephen  
 Rogers, Rose Marie  
 Spang, Judith

Berube, Roger  
 Gardner, Janice  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rollo, Deanna  
 Stevens, Audrey

Bixby, Peter  
 Ginsburg, Philip  
 Hubbard, Pamela  
 Pelletier, Marsha  
 Schmidt, Peter  
 Verschueren, James

Burdwood, Greg  
 Grassie, Anne  
 Kaen, Naida  
 Perry, Robert  
 Smith, Marjorie  
 Wall, Janet

**SULLIVAN**

Cloutier, John  
 Schmidt, Andrew  
 and floor amendment (1967h) failed.

Gagnon, Raymond  
 Sweeney, Cynthia

Gottling, Suzanne  
 Tanner, Linda

Irwin, Virginia

The question being adoption of the majority committee report of Ought to Pass with Amendment.  
 Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 179 NAYS 132**

**YEAS 179****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

**CHESHIRE**

Ames, Richard  
 Chase, Cynthia  
 Mann, John  
 Sad, Tara  
 Weed, Charles

Berch, Paul  
 Emerson, Susan  
 Parkhurst, Henry  
 Shepardson, Marjorie

Burridge, Delmar  
 Johnsen, Gladys  
 Roberts, Kris  
 Tatso, Bruce

Butynski, William  
 Ley, Douglas  
 Robertson, Timothy  
 Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia

Hatch, William

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Sykes, George

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy

**HILLSBOROUGH**

Backus, Robert  
Carroll, Douglas  
DiSilvestro, Linda  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Shaw, Barbara  
Walsh, Robert Jr  
Woodbury, David

Barry, Richard  
Chandley, Shannon  
Eaton, Richard  
Gorman, Mary  
Hansberry, Daniel  
Jeuzy, Jean  
Leishman, Peter  
MacKay, Mariellen  
Nelson, Mary  
Rosenwald, Cindy  
Spratt, Stephen  
Willette, Robert

Beaulieu, Jane  
Connor, Evelyn  
Gage, Ruth  
Grady, Brenda  
Harriott-Gathright, Linda  
Kelley, John  
Levasseur, Nickolas  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Schmidt, Janice  
Sullivan, Peter  
Williams, Kermit

Campbell, David  
Cote, David  
Gale, Sylvia  
Hackel, Paul  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Flaherty, Tim  
Shattuck, Gilman  
Vail, Suzanne  
Winters, Joel

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Frazer, June  
Hunt, Jane  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy

Bartlett, Christy  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Ebel, Karen  
Gile, Mary  
MacKay, James  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Burns, Scott  
Frambach, Mary  
Hirsch, Geoffrey  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

**ROCKINGHAM**

Borden, David  
Cali-Pitts, Jacqueline  
Hayes, Jack  
Moody, Marcia  
Sherman, Thomas

Briden, Steven  
Cushing, Robert Jr  
Heffron, Frank  
Muns, Chris  
Till, Mary

Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Schlachman, Donna  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Berube, Roger  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Rogers, Rose Marie  
Spang, Judith

Bickford, David  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Rollo, Deanna  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Pelletier, Marsha  
Schmidt, Peter  
Verschuereen, James

**SULLIVAN**

Cloutier, John  
Irwin, Virginia

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Grenier, James  
Tanner, Linda

**NAYS 132****BELKNAP**

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

Flanders, Donald  
Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Richardson, Herbert

**GRAFTON**

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

Reilly, Harold Sr

**HILLSBOROUGH**

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael  
Hansen, Peter  
Kurk, Neal  
Martel, Andre  
Notter, Jeanine  
Parison, James  
Rowe, Robert  
Takesian, Charlene  
Warden, Mark

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gargas, Carolyn  
Hikel, John  
Lambert, George  
McCarthy, Michael  
O'Brien, William  
Pellegrino, Tony  
Sanborn, Laurie  
Ulery, Jordan

Burt, John  
Coffey, James  
Flanagan, Jack  
Graham, John  
Infantine, William  
LeBrun, Donald  
Meaney, Richard  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Vaillancourt, Steve

Byron, Frank  
Culbert, Patrick  
Gagne, Larry  
Haefner, Robert  
Jasper, Shawn  
LeVasseur, Richard  
Murotake, David  
Palmer, Stephen  
Pratt, Calvin  
Straight, Philip  
Villeneuve, Moe

**MERRIMACK**

Hess, David  
McGuire, Carol

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank

Lockwood, Priscilla

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Copeland, Timothy  
Dumaine, Dudley  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
Nigrello, Robert  
Priestley, Anne  
Schroadter, Adam  
Sytek, John  
Webb, James Sr

Allen, Mary  
Charron, Gene  
Danais, Romeo  
Emerick, J. Tracy  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Tremblay, Stella  
Weyler, Kenneth

Baldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Ferrante, Beverly  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
Packard, Sherman  
Sanders, Elisabeth  
St.James, Kevin  
Tucker, Pamela

Bick, Patrick  
Comerford, Timothy  
Duarte, Joe  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
Milz, David  
Peckham, Michele  
Scarlotta, Joe  
Sweeney, Joe  
Waterhouse, Kevin

**STRAFFORD**

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

**SULLIVAN**

Smith, Steven

and the majority committee report was adopted and ordered to third reading.

**MOTION TO PRINT DEBATE**

Rep. John Hunt moved that the debate on *SB 129-FN*, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need, be printed in the Permanent Journal.

On a division vote, 214 members having voted in the affirmative and 95 in the negative, the motion was adopted.

### DEBATE ON SB 129-FN

**Speaker Norelli:** The question before the House is the majority committee amendment. The Chair recognizes the member from Epsom, Representative Dan McGuire to speak in opposition to the amendment.

**Rep. Dan McGuire:** Thank you very much, Madam Speaker. This is a non-germane amendment that would have the insurance department accept a federal grant of \$5.3 million to spend to promote the Affordable Care Act, also known as Obamacare to businesses and consumers to inform them of the features and requirements and so on. It's a one year grant. There are 2 reasons why we should reject this amendment and this grant. First of all, the Affordable Care Act is a completely federal program. It's not a program run by the state or by our insurance department so it's not something we have any particular knowledge of, superior to the feds, so on. All we would be doing with this money is hiring consultants to make up brochures, maybe videos, that sort of thing and paying for media. This is something the federal government could do just as easily, if not more easily, than we can. Secondly, the underlying bill here, SB 129, is very, very good. It potentially saves the state general fund more money per year forever than this grant would spend in one year. So, we are putting at risk, if we put on this non-germane amendment, and it's not agreed to, we are putting at risk considerable savings to the general fund for no particularly good reason. In my opinion, the likely outcome if we reject this amendment is that, what will happen is similar to the situation when we didn't accept the plan parenthood grant a couple of years ago, the feds would likely go and just spend the money on their own because it's their program and their money and they'd want to promote it. I started by saying that this amendment is not germane. By that I mean that it's a completely separate subject from the underlying bill, but it's somewhat of a gray area whether it is acceptable under our rules to be added to this particular bill. Our rules say that in order to add a non-germane amendment, there must be a noticed public hearing in the committee for the amendment. This had a noticed public hearing in subcommittee for this amendment. So, if you think that the rules saying committee includes subcommittee then it is okay, if not, it's not. Anyways, there is no particular reason to accept it. It puts a very good bill at risk so I urge you to defeat this motion. Thank you.

**Speaker Norelli:** The question before the House is the majority committee amendment on SB 129. The Chair recognizes the member from Harts Location, Representative Butler, to speak in support of the amendment.

**Rep. Butler:** Thank you, Madam Speaker. Honored colleagues, this amendment will appropriate money in the consumer assistance grant for outreach and education as the Affordable Care Act is implemented. The \$5.3 million grant was awarded to New Hampshire by the federal government in April of this year. Though the grant was applied for by the insurance department and awarded, that was only the first step in the process of being able to access and use the money. An application in April to the fiscal committee to use \$340,000 of the grant to begin the outreach process in the current fiscal year was tabled. An attempt to add the \$5 million grant to the current budget bill was rejected in the Senate. As you know, the ACA or Obamacare is that little piece of federal legislation that makes fundamental changes to the way citizens will be able to access healthcare coverage starting in 2014. If implemented successfully, there is the potential of providing coverage to an estimated 74,000 uninsured New Hampshire citizens. That grant money is being offered to accomplish the following: Provide basic outreach and education to all citizens. We need a broad and extensive outreach and public education effort to let people know what changes are about to occur and what opportunities there are to access healthcare coverage come January 2014. In a meeting yesterday, one our Reps said that she had heard a radio ad while traveling in Vermont about the new healthcare law with Vermont specific information and it provided ways in which residents could access more information. Have you heard any radio ads or seen print ads about helping our citizens learn about the ACA and what to expect as we move forward with implementation in New Hampshire? Me neither. This grant provides money to hire people to assist consumers with basic questions about insurance coverage. What it means and how it will function under Obamacare. It will assist people in determining whether they qualify for subsidies for coverage and if so, how much. Consumer assistance will show people the exchanges, those internet portals where people can choose the kinds of policies they want or will refer them to local insurance brokers who can help



them complete applications and sign up for coverage. This money is being provided as Representative McGuire said through 2014 only. There will be no further monies available for outreach. You will vote in favor of this amendment if you believe that accessing this grant will allow our insurance department to implement an outreach and education program for our citizens who need to know that the Affordable Care Act is indeed being implemented. The federal government has a lot on its hands. We need to create and provide New Hampshire specific information. We know about our populations. We have the non-profit organizations, the hospitals, the community health centers who know their populations and can do the outreach. The federal government does not. Many, I dare say, most New Hampshire residents are unaware of the many changes coming soon in healthcare coverage. A survey of nearly 200 New Hampshire families with children with special healthcare needs by New Hampshire Family Voices found that just 18% of those families were aware of the pending changes and their ability to access healthcare coverage. A recent national survey found that half of the respondents, more than half of those who were uninsured, do not understand how they might be impacted by the law. You will vote in favor of this amendment if you think that it is high time for us to get off the dime and start helping our citizens learn about Obamacare and how it will affect them and what benefits it offers and what the cost of coverage will be. On October 1<sup>st</sup> we are to begin offering coverage under this new system. The intent of beginning in October for policies that will take effect in January is to make it possible to reach as many people as we can and for people to take the time necessary to learn about their choices before the first of the year. We do not have the processes in place for this outreach and education to occur. This grant money will help to implement programs and to hire the people necessary to do the outreach and to make it possible to carry out needed public relations programs. The insurance department has plans in place and is ready to begin to do the work necessary as soon as the grant monies are approved for expenditure. So what's the hold up? Over the past couple of months, work has been done to understand the concerns of those who are reluctant to accept this grant. Input from the insurance broker and procedure community has been invited to understand their concerns and learn how they can help, not only to get the word out, but also to understand how to use the outreach effort to refer potential new business to them. There is a concern that such a large sum of money is not needed to help people learn about the new healthcare law and its consequences for our constituents. Frankly, I'm sure every penny of this money could be put to good and effective use to do the work needed; however, we have a legislative oversight committee that was established by our legislature as Obamacare came into being. It is charged with overseeing the implementation of the ACA in our state. It has three House members and 3 Senators and currently reflects the majority of both bodies. The oversight committee has been meeting regularly and is working with the insurance department to iron out differences in order to move forward with this critically needed work. The insurance department has said repeatedly that it is ready, willing and able to provide the necessary information so that the oversight committee can ensure the legislature that the money will be spent wisely, efficiently and effectively. That committee meets again next Tuesday. But, for this effort to move forward, we must have a way to accept the expenditure of the consumer assistance grant and this amendment will allow us to just do that. Regardless of what you think of the law, we should be able to agree that all New Hampshire residents deserve to be informed about the changes coming that will impact us all. Relative to the issue of germaneness, Representative McGuire again spoke to that. There was indeed a public hearing and if you believe that the public hearing that was held creates that germane amendment, then the committee does believe that. And, even though we have the underlying bill, I understand that we will not jeopardize that bill by passing that amendment because that bill is already being attached to another House bill in the Senate. I ask you to support this amendment. Make it possible for us to move forward this important work. I hope you will join me in supporting this amendment.

**Speaker Norelli:** Will the member yield to a question? The member yields. Representative Ulery, you may inquire.

**Rep. Ulery:** Thank you, Madam Speaker. Thank you for taking my question. I'm a little confused. I've heard press reports that there is exactly one provider that's going to be providing services under the ACA. So, in effect, we are taking tax payer dollars to advertise for one company in the state. Correct?

**Rep. Butler:** Almost. Right now.

**Rep. Ulery:** Thank you.

**Rep. Butler:** Let me answer a little more completely. Right now, even though we may not, depending on what happens with the market rules bill, have the ability to oversee insurance products through our state, a bulletin has gone out and applications are in the process of coming through. Right now, as far as we know, Anthem is the only insurance provider who is going to provide products through the exchange. People will be able to access tax credits and subsidies for policies through the exchange; however, Harvard Pilgrim and MVP and possibly others may still be able to provide affordable care policies but without offering the subsidies associated. So, our small groups, our individual policies may in fact be accessed outside of the exchange if subsidies are not a part of it or even without the subsidies, people may choose to buy some of those Anthem policies through the exchange. It's still possible that another provider may come in and want to participate through the exchange in this first year, but this does not mean that there won't be more companies in the exchange in coming years and it also doesn't mean that there might not be a multi-state policy still coming through.

**Speaker Norelli:** Will the member yield for a follow-up? The member yields.

**Rep. Ulery:** I'm still not quite sure. There is one provider that is signed up. There is maybe possibly, somewhere, maybe something else that might possibly take place. So, in effect, if this amendment attached to a good bill gets approved, we'll be spending \$5 and change million to advertise for essentially one company.

**Rep. Butler:** No. Even though Anthem will be providing policies through the exchange, those policies consistent with the Affordable Care Act will be outside of those policies as well and even if it was only one provider providing services or providing policies throughout the state, there are still those 74,000 uninsured people who need to know what's going on, what's available, what's accessible, how do I get it, why do I want it, and what's it going to cost. That's going to take person power and outreach that we currently don't have.

**Rep. Ulery:** Thank you.

**Speaker Norelli:** Will the member yield to another question? The member yields. Representative Hammon, you may inquire.

**Rep. Hammon:** Thank you very much for taking my question, Representative. Would you believe that every 6 weeks when I go to get my haircut, my hairdresser who is 50 something and uninsured asks me, when am I going to hear about this? I need insurance and the exchange is my only hope. When can I find out? I keep telling her; soon, soon, we'll get there. Will we?

**Rep. Butler:** If this consumer assistance grant is accepted and accessible we will be able to get that information to her the sooner the better.

**Rep. Hammon:** Thank you very much.

**Speaker Norelli:** The question before the House is the majority committee amendment on SB 129. A division has been requested. Representative Rosenwald has requested a roll call and it is sufficiently seconded. This will be a roll call vote. Will members please take their seats? Members should be in their seats. The question before the House is the majority committee amendment on SB 129. This is a roll call vote. If you are in favor, you will press the green button. If you are opposed, you will press the red button. The Chair recognizes Representative Kurk for a parliamentary inquiry.

**Rep. Kurk:** Thank you, Madam Speaker. Madam Speaker, if I know that the Senate has already twice rejected this proposal and Madam Speaker, if I know that the Affordable Care Act, also known as Obamacare, is a federal program that under its requirements forces folks to purchase insurance, health insurance, through the exchanges and that federal program should be explained by the federal government to its participants and not by the state government. And, finally Madam Speaker, if I know that if the state should reject this grant, the federal government will simply take the money and provide, as it should, the required education on its own, would I now support or oppose the majority view and press the red button. Thank you.

**Speaker Norelli:** The question before the House is the majority committee amendment on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Rosenwald for a parliamentary inquiry.

**Rep. Rosenwald:** Thank you, Madam Speaker. If I know this grant will help consumers access tax credits to help them access private insurance and if I know this grant will help the insurance department fulfill its traditional role of regulating the insurance market and finally, Madam Speaker, if I know this grant will help insurance agents and brokers by sending them high quality business prospects, would I now press the green button? Thank you.

**Speaker Norelli:** The question before the House is the majority committee amendment on SB 129. This is a roll call vote. If you are in favor, you will press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 175 having voted in the affirmative and 137 in the negative, the majority committee amendment is adopted. The Chair recognizes the member from Rindge, Representative Hunt to offer a floor amendment.

**Rep. John Hunt:** Thank you, Madam Speaker. You might have noticed that I was quiet on the last debate because I hope you will support this next amendment. This next amendment just repeats what you just passed, but it adds one other little caveat which is current law as long as we all believe it is current law. That is, that these funds cannot be expended until the oversight committee says they can. We all believe this is the law, we just thought it would be a good idea to reinforce that just in case somebody has some other ideas like maybe try to run this through a different department, or do something creative. We just want to reaffirm that the oversight committee is committed to working this issue out and we'll spend the money appropriately. I hope you will support this amendment. Thank you.

**Speaker Norelli:** That was, the motion, to adopt floor amendment (1967h) which is in House Record 42 on page 1454.

**Rep. John Hunt:** So moved.

**Speaker Norelli:** The question before the House is floor amendment (1967h) on SB 129. The Chair recognizes the member from Laconia, Representative Huot to speak in opposition to the floor amendment.

**Rep. Huot:** Madam Chairman, the amendment is relatively simple. It does one thing and one thing only. It requires that before any money is spent by this grant, that the expenditure be approved by the oversight committee. The oversight committee was created under Section 420 of the Act so that the oversight committee is required to approve any of the procedures, any of the plans that come to pass under the Affordable Care Act. Now, the problem here is that all of this is agenda driven. There are 3 members of the Senate and 3 members of the House on the oversight committee. Senate members are 2 Republicans and 1 Democrat. The House members are 2 Democrats and 1 Republican and it doesn't take too much to figure out how this might go if this were put to a vote. The other thing is that we've talked with the insurance department and the insurance department believes that this particular amendment is a little confusing because the amendment says that this doesn't apply to transfers among appropriations and it doesn't apply to acceptance of grants. Well, the grant has been awarded. The issue here is whether we are going to implement the grant. The oversight committee has responsibility for taking action with regard to implementing the grant. The insurance department has the responsibility for regulating the insurance industry and to make sure that consumers understand what exactly is available under this plan. It doesn't matter how many insurance companies participate in the plan. It matters that this has never happened before. October 1<sup>st</sup> or August 1<sup>st</sup> or whenever the first steps are taken. This has never happened. People out there, as you have heard before, have no idea what is going on and it's up to us to explain to people what's going on in ways that implement the plan according to New Hampshire principles. So I urge you to vote down this amendment and to pass the underlying motion. Thank you.

**Speaker Norelli:** Will the member yield to a question? The member yields, Representative Kurk, you may inquire.

**Rep. Kurk:** Thank you, Madam Speaker. Apparently there is a road-jam here to ask questions. I appreciate the member taking this question. Is it in fact the case, is it not in fact the case that this amendment simply says that before any money from this \$5.3 million grant is expended, spent, that the oversight committee has to approve that expenditure? And, if your answer to that is, that's what the amendment says but it's unnecessary because it's already in the statute, I'd appreciate that. If your answer is something else, I'd appreciate an explanation.

**Rep. Huot:** That is exactly what the amendment does. The reason it is unclear, what happens is that because what you see in the bill isn't an appropriation that was passed by the Legislature. This is what was in the application for the grant. What the feds used to determine whether they were going to award the grant. It's unclear whether this amendment is going to require that the oversight committee approve each and every expenditure. If it is, I can practically guarantee you that no expenditures are going to be made. Thus, the whole grant will fail and we don't want the grant to fail.

**Rep. Kurk:** Follow up, Madam Speaker?

**Speaker Norelli:** Will the member yield to a follow up? The member yields.

**Rep. Kurk:** Is it....thank you, I appreciate that, Representative. Is it not the fact that current law allows, indeed requires expenditure approval by the oversight committee?

**Rep. Huot:** Based on the.....

**Rep. Kurk:** Yes or no would be nice.

**Rep. Huot:** I don't know.

**Rep. Kurk:** Thank you.

**Speaker Norelli:** Will the member yield to another question? The member yields, Representative Hunt, you may inquire.

**Rep. John Hunt:** I think I may have just got my answer, but I guess...thank you, Madam Speaker, and thank you for taking my question, but the specific question is can the department of insurance spend \$3,000 on consultants? Excuse me, \$3 million on consultants or/and another \$2 million for contracts for program services without approval from the oversight committee?

**Rep. Huot:** The commission is required to approve all of the consumer assistance grant and that means the overall plan including what it is going to be spent on. The grant requires that all of the money be spent in accordance with the plan. The plan has to be approved by the insurance department, excuse me, by the oversight commission. The time is getting really close so I'm not going to take anymore questions.

**Speaker Norelli:** The question before the House is majority committee report of Ought to Pass as Amended on SB 129. Representative Rosenwald requests a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Will members please take their seats? The question before the House is the Hunt floor amendment on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Kurk for a parliamentary inquiry.

**Rep. Kurk:** Thank you, Madam Speaker. Madam Speaker, if I know a waffle when I hear one and if I know that this amendment is designed to make sure that legislative oversight of expenditures prevails, would I now support the amendment by pressing the green budget, button, to assert legislative authority over expenditures.

**Speaker Norelli:** The question before the House is the Hunt floor amendment on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Rosenwald for a parliamentary inquiry.

**Rep. Rosenwald:** Thank you, Madam Speaker. If I know that RSA 420-N clearly gives the Joint Health Care Reform Oversight Committee the authority to enforce policy, rules and standards of the Affordable Care Act. And, if I know this floor amendment is unnecessary and potentially confusing, would I now press the red button to vote no. Thank you.

**Speaker Norelli:** The question before the House is the Hunt floor amendment on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 140 having voted in the affirmative and 170 in the negative, the floor amendment fails. I would just ask members if the seat next to you is empty, would you make sure the key is off. It will be easier for us to ascertain that everyone that's in the room has voted. Thank you. The question before the House is the majority committee.....The question before the House is the majority committee report of Ought to Pass as Amended on SB 129. Are you ready for the question? Representative William O'Brien requests a roll call. Is that sufficiently seconded? It is sufficiently seconded. This will be a roll call vote. Will members please take their seats? Members should be in their seats. The question before the House is the majority committee report of Ought to Pass as Amended on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Hunt for a parliamentary inquiry.

**Rep. John Hunt:** Thank you, Madam Speaker. Madam Speaker, if I know that the oversight committee is intimately aware of this money and I further know that the oversight committee is ready and willing to spend the money, but I further know that the oversight committee restraint is because there is nothing to spend it on yet. There is no product yet. There is nothing yet and if I know that oversight committee is waiting until we really do know what we want to spend the money on and then ready to spend it, would I now vote no on the pending motion and trust that the oversight committee will do the job it is supposed to do.

**Speaker Norelli:** The question before the House is the majority committee report of Ought to Pass as Amended on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. The Chair recognizes Representative Shurtleff for a parliamentary inquiry.

**Rep. Shurtleff:** Thank you, Madam Speaker. Madam Speaker, if I know that this bill will ensure that the children going to the John Sununu Center in Manchester are only those children that will be a danger to themselves and to their communities. And, Madam Speaker, if I know that this bill as amended will provide information to New Hampshire consumers on obtaining tax credits so they can acquire health insurance. And, Madam Speaker, if I know that this bill provides grant money to the New Hampshire Department of Insurance so that they can set up health information and outreach programs for our New Hampshire citizens, would I now press the green button to pass this bill as amended? Thank you, Madam Speaker.

**Speaker Norelli:** The question before the House is the majority committee report of Ought to Pass as Amended on SB 129. This is a roll call vote. If you are in favor, you'll press the green button. If you are opposed, you'll press the red button. Voting stations are open for 30 seconds. Have all members voted who were here when the question was put? The House will be attentive to the state of the vote. 179 having voted in the affirmative and 132 in the negative, the majority committee report is adopted.

### REGULAR CALENDAR (CONT'D)

**SB 146-FN-L**, relative to aid to the permanently and totally disabled and old age assistance.

**MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. James E. Coffey for the Majority of Municipal and County Government: This bill amends RSA 167:27, which forbids any person presently receiving old age assistance or aid to the totally and permanently disabled under this chapter, or RSA 161, from receiving at the same time any other relief from the state, or from any political subdivision thereof, except for medical and surgical assistance, by allowing the governing body to provide assistance as part of their welfare guidelines. This was portrayed by the bill's advocates as allowing local option, but local option usually means the legislative body, not a majority of the selectmen who could alter the guidelines based on who was applying or change the rules annually as the selectmen come and go. Adoption of this bill would result in substantially different standards among the towns and cities which might lead some clients to choose to locate in those communities providing additional services. This bill was opposed by the New Hampshire welfare officer's association for that reason. During the committee discussion an amendment was considered that would simply remove the restriction but the majority of the committee believed that this would have resulted in an unfunded mandate because under RSA 165:1 all towns and cities would then have to provide additional assistance. If there is a need to increase the cash benefits for the recipients it should be part of a need based budgetary request from the department of health and human services, and be included in the state's budget. Vote 9-6.

Rep. James Verschuere for the Minority of Municipal and County Government: RSA 165:1 states, "Whenever a person in any town is poor and unable to support himself, he shall be relieved and maintained by the overseers of public welfare of such town..." However, RSA 165:27 bars municipalities from providing aid to an individual who receives old age assistance (OAA) or aid to the permanently and totally disabled (APTD). This bill would enable but not require municipalities to choose to provide assistance under RSA 165 to a person who is also receiving OAA or APTD if the individual meets the guidelines adopted by the governing body. The result of current law is that individuals who fully qualify for assistance from their municipalities may not receive it. If they do, they forfeit the APTD or OAA support. The prohibition is thus in direct conflict with the intention of RSA 165:1 which requires municipalities to provide support to qualifying individuals. This bill begins to address this conflict in the law by allowing the governing body to choose not to accept the prohibition. The minority of the committee believes that the prohibition ought to be removed from the statute altogether, asserting that there is no justification for denying aid to an individual who is unable to support himself solely because s/he is receiving another particular type of aid. This bill takes a first step to rectify the wrong of the current RSA 165:27.

The question being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Verschuere spoke against.

Rep. James Belanger spoke against and yielded to questions.

**MOTION TO LAY ON THE TABLE**

Rep. Vaillancourt moved that **SB 146-FN-L**, relative to aid to the permanently and totally disabled and old age assistance, be laid on the table.

On a division vote, 124 members having voted in the affirmative and 159 in the negative, the motion failed.

The question now being adoption of the majority committee report of Inexpedient to Legislate.

Rep. Syndi White spoke against.

Rep. Coffey spoke in favor and yielded to questions.

Rep. Irwin requested a roll call; sufficiently seconded.

**YEAS 126 NAYS 163****YEAS 126****BELKNAP**

Burchell, Richard  
Raymond, Ian

Fields, Dennis  
Sylvia, Michael

Fink, Charles  
Vadney, Herbert

Flanders, Donald  
Worsman, Colette

**CARROLL**

Buco, Thomas  
Morrow, Harry

Chandler, Gene  
Umberger, Karen

Cordelli, Glenn

McConkey, Mark

**CHESHIRE**

Chase, Cynthia  
Tatro, Bruce

Hunt, John

Johnson, Jane

Roberts, Kris

**COOS**

Hammon, Marcia

Rappaport, Laurence

Richardson, Herbert

Theberge, Robert

**GRAFTON**

Bradley, Lester  
Lauer, Linda

Brown, Rebecca  
Piper, Wendy

Ford, Susan  
Reilly, Harold Sr

Ladd, Rick Jr  
Townsend, Charles

**HILLSBOROUGH**

Boehm, Ralph  
Culbert, Patrick  
Gagne, Larry  
Graham, John  
Kelley, John  
Long, Patrick  
Meaney, Richard  
Palmer, Stephen  
Rowe, Robert  
Vail, Suzanne  
Winters, Joel

Burt, John  
Daniels, Gary  
Gale, Sylvia  
Hikel, John  
Kopka, Angeline  
McCarthy, Michael  
Nelson, Mary  
Parison, James  
Sanborn, Laurie  
Vaillancourt, Steve

Coffey, James  
Danielson, David  
Garcia, Michael  
Infantine, William  
Kurk, Neal  
McCloskey, David  
Notter, Jeanine  
Pellegrino, Tony  
Sandblade, Emily  
Villeneuve, Moe

Connor, Evelyn  
Eaton, Richard  
Gorman, Mary  
Jasper, Shawn  
LeBrun, Donald  
McNamara, Richard  
O'Brien, William  
Pratt, Calvin  
Straight, Philip  
Warden, Mark

**MERRIMACK**

Bartlett, Christy  
Lockwood, Priscilla  
Schamberg, Thomas

Ebel, Karen  
McGuire, Carol

Frambach, Mary  
McGuire, Dan

Hoell, J.R.  
Myler, Mel

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
Duarte, Joe  
Hodgdon, Bruce  
Khan, Aboul  
Peckham, Michele  
Schroadtter, Adam  
Sytek, John  
Weyler, Kenneth

Allen, Mary  
Copeland, Timothy  
Griffin, Mary  
Hoelzel, Kathleen  
Major, Norman  
Priestley, Anne  
Sedensky, John  
Tremblay, Stella

Baldasaro, Alfred  
Danaïs, Romeo  
Hagan, Joseph  
Introne, Robert  
Packard, Sherman  
Rice, Frederick  
St.James, Kevin  
Tucker, Pamela

Bick, Patrick  
DeSimone, Debra  
Heffron, Frank  
Kappler, Lawrence  
Pantelakos, Laura  
Scarlottio, Joe  
Sweeney, Joe  
Webb, James Sr

**STRAFFORD**

Groen, Warren  
Pelletier, Marsha

Jones, Laura  
Pitre, Joseph

Malloy, Dennis  
Rogers, Rose Marie

Mullen, John Jr  
Rollo, Deanna

**SULLIVAN**

Cloutier, John

Grenier, James

Smith, Steven

Sweeney, Cynthia

**NAYS 163****BELKNAP**

DiMartino, Lisa  
Huot, David

Greemore, Robert Jr  
Tilton, Franklin

Gulick, Ruth

Holmes, Stephen

**CARROLL**

Ahlgren, Christopher  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
White, Syndi

Nelson, Bill  
Wright, Donald

**CHESHIRE**

Ames, Richard  
Johnsen, Gladys  
Weber, Lucy

Berch, Paul  
Ley, Douglas  
Weed, Charles

Butynski, William  
Parkhurst, Henry

Emerson, Susan  
Sad, Tara

**COOS**

Coulombe, Gary

Enman, Larry

Hatch, William

Moynihan, Wayne

**GRAFTON**

Almy, Susan  
Friedrich, Carol  
Mulholland, Catherine

Benn, Bernard  
Harding, Laurie  
Nordgren, Sharon

Cooney, Mary  
Lovett, Sid  
Pastor, Beatriz

Doolan, Ralph Jr  
Massimilla, Linda  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Byron, Frank  
Christiansen, Lars  
Gargas, Carolyn  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
O'Brien, Michael Sr  
Shattuck, Gilman  
Takesian, Charlene  
Woodbury, David

Barry, Richard  
Campbell, David  
Cote, David  
Grady, Brenda  
Hansberry, Daniel  
Judy, Jean  
Levasseur, Nicholas  
Manley, Jonathan Sr  
Porter, Marjorie  
Shaw, Barbara  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Hackel, Paul  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
LeVasseur, Richard  
Martel, Andre  
Rosenwald, Cindy  
Spratt, Stephen  
Willette, Robert

Belanger, James  
Chandlee, Shannon  
Gage, Ruth  
Haefner, Robert  
Heden, Ruth  
Lambert, George  
Levesque, Melanie  
Murotake, David  
Schmidt, Janice  
Sullivan, Peter  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Davis, Frank  
Hunt, Jane  
Ratzki, Mario  
Schuett, Dianne  
Walz, Mary Beth

Bouchard, Candace  
French, Barbara  
Karrick, David Jr  
Rice, Chip  
Shurtleff, Stephen  
Webb, Leigh

Burns, Scott  
Gile, Mary  
MacKay, James  
Richardson, Gary  
Tilton, Joy

Carson, Clyde  
Hirsch, Geoffrey  
Moffett, Howard  
Rogers, Katherine  
Wallner, Mary Jane

**ROCKINGHAM**

Borden, David  
Cali-Pitts, Jacqueline  
Dumaine, Dudley  
Harris, Jeffrey  
Mann, Maureen  
Nigrello, Robert  
Till, Mary

Briden, Steven  
Chirichiello, Brian  
Emerick, J. Tracy  
Itse, Daniel  
Milz, David  
O'Connor, John  
Ward, Gerald

Burtis, Elizabeth  
Comerford, Timothy  
Emerson-Brown, Rebecca  
Kolodziej, Walter  
Moody, Marcia  
Schlachman, Donna  
Waterhouse, Kevin

Cahill, Michael  
Cushing, Robert Jr  
Flockhart, Eileen  
Lovejoy, Patricia  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

**STRAFFORD**

Baber, William	Beaudoin, Steven	Berube, Roger	Bickford, David
Bixby, Peter	Burdwood, Greg	Burke, Rachel	Gardner, Janice
Ginsburg, Philip	Grassie, Anne	Gray, James	Grossman, Kenneth
Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida	Ketel, Stephen
Perry, Robert	Schmidt, Peter	Smith, Marjorie	Spang, Judith
Stevens, Audrey	Verschueren, James	Wall, Janet	

**SULLIVAN**

Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia	Schmidt, Andrew
Tanner, Linda			
and the majority committee report failed.			
Rep. James Belanger moved the minority committee report of Ought to Pass.			
Rep. Kris Roberts spoke against.			
Rep. Burt requested a roll call; sufficiently seconded.			

**YEAS 190 NAYS 100****YEAS 190****BELKNAP**

DiMartino, Lisa	Fields, Dennis	Greemore, Robert Jr	Gulick, Ruth
Holmes, Stephen	Huot, David	Tilton, Franklin	

**CARROLL**

Ahlgren, Christopher	Butler, Edward	Crawford, Karel	Morrow, Harry
Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan	White, Syndi
Wright, Donald			

**CHESHIRE**

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Emerson, Susan	Hunt, John	Johnsen, Gladys	Ley, Douglas
Parkhurst, Henry	Sad, Tara	Weber, Lucy	Weed, Charles

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Theberge, Robert		

**GRAFTON**

Almy, Susan	Benn, Bernard	Brown, Rebecca	Cooney, Mary
Doolan, Ralph Jr	Friedrich, Carol	Harding, Laurie	Lauer, Linda
Lovett, Sid	Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Sykes, George	Townsend, Charles	

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Belanger, James
Byron, Frank	Campbell, David	Carroll, Douglas	Chandley, Shannon
Christiansen, Lars	Connor, Evelyn	Cote, David	DiSilvestro, Linda
Gage, Ruth	Gale, Sylvia	Gargasz, Carolyn	Grady, Brenda
Hackel, Paul	Haefner, Robert	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin	Judy, Jean
Kelley, John	Knowles, Mary Ann	Lambert, George	Leishman, Peter
Levasseur, Nickolas	LeVasseur, Richard	Levesque, Melanie	Long, Patrick
MacKay, Mariellen	Manley, Jonathan Sr	Martel, Andre	McCloskey, David
McNamara, Richard	Murotake, David	Nelson, Mary	O'Brien, Michael Sr
Porter, Marjorie	Rosenwald, Cindy	Rowe, Robert	Schmidt, Janice
Shattuck, Gilman	Shaw, Barbara	Spratt, Stephen	Sullivan, Peter
Takesian, Charlene	Walsh, Robert Jr	Willette, Robert	Williams, Kermit
Winters, Joel	Woodbury, David		



**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bouchard, Candace	Burns, Scott
Carson, Clyde	Davis, Frank	Ebel, Karen	French, Barbara
Gile, Mary	Hirsch, Geoffrey	Hunt, Jane	Karrick, David Jr
MacKay, James	Moffett, Howard	Myler, Mel	Ratzki, Mario
Rice, Chip	Richardson, Gary	Schuett, Dianne	Shurtleff, Stephen
Tilton, Joy	Wallner, Mary Jane	Walz, Mary Beth	

**ROCKINGHAM**

Borden, David	Briden, Steven	Burtis, Elizabeth	Cahill, Michael
Cali-Pitts, Jacqueline	Chirichiello, Brian	Comerford, Timothy	Cushing, Robert Jr
DeSimone, Debra	Dumaine, Dudley	Emerick, J. Tracy	Emerson-Brown, Rebecca
Flockhart, Eileen	Griffin, Mary	Harris, Jeffrey	Heffron, Frank
Itse, Daniel	Khan, Aboul	Kolodziej, Walter	Lovejoy, Patricia
Milz, David	Moody, Marcia	Muns, Chris	Nigrello, Robert
O'Connor, John	Packard, Sherman	Priestley, Anne	Schlachman, Donna
Sherman, Thomas	Till, Mary	Ward, Gerald	Waterhouse, Kevin
Whittemore, Lisa			

**STRAFFORD**

Baber, William	Beaudoin, Steven	Berube, Roger	Bickford, David
Bixby, Peter	Burdwood, Greg	Burke, Rachel	Gardner, Janice
Ginsburg, Philip	Grassie, Anne	Grossman, Kenneth	Horrigan, Timothy
Hubbard, Pamela	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Pelletier, Marsha	Perry, Robert	Pitre, Joseph	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Spang, Judith	Stevens, Audrey
Verschueren, James	Wall, Janet		

**SULLIVAN**

Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia	Schmidt, Andrew
Tanner, Linda			

**NAYS 100****BELKNAP**

Burchell, Richard	Fink, Charles	Flanders, Donald	Raymond, Ian
Sylvia, Michael	Vadney, Herbert	Worsman, Colette	

**CARROLL**

Buco, Thomas	Chandler, Gene	Cordelli, Glenn	McConkey, Mark
Umberger, Karen			

**CHESHIRE**

Johnson, Jane	Roberts, Kris	Tatro, Bruce	
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**COOS**

Rappaport, Laurence	Richardson, Herbert		
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**GRAFTON**

Bradley, Lester	Ford, Susan	Ladd, Rick Jr	Piper, Wendy
Reilly, Harold Sr			

**HILLSBOROUGH**

Boehm, Ralph	Burt, John	Coffey, James	Culbert, Patrick
Daniels, Gary	Danielson, David	Eaton, Richard	Flanagan, Jack
Gagne, Larry	Garcia, Michael	Gorman, Mary	Graham, John
Hikel, John	Infantine, William	Jasper, Shawn	Kopka, Angeline
Kurk, Neal	LeBrun, Donald	McCarthy, Michael	Meaney, Richard
Notter, Jeanine	O'Brien, William	Palmer, Stephen	Parison, James
Pellegrino, Tony	Pratt, Calvin	Sanborn, Laurie	Sandblade, Emily
Straight, Philip	Vail, Suzanne	Vaillancourt, Steve	Villeneuve, Moe
Warden, Mark			

**MERRIMACK**

Frambach, Mary	Hoell, J.R.	Lockwood, Priscilla	McGuire, Carol
McGuire, Dan	Rogers, Katherine	Schamberg, Thomas	Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Baldasaro, Alfred	Bick, Patrick
Birdsell, Regina	Copeland, Timothy	Danais, Romeo	Duarte, Joe
Hagan, Joseph	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Kappler, Lawrence	Major, Norman	Mann, Maureen	Pantelakos, Laura
Peckham, Michele	Rice, Frederick	Scarlotta, Joe	Schroadter, Adam
Sedensky, John	St.James, Kevin	Sweeney, Joe	Sytek, John
Tremblay, Stella	Tucker, Pamela	Webb, James Sr	Weyler, Kenneth

**STRAFFORD**

Gray, James	Groen, Warren	Jones, Laura	Mullen, John Jr
Rogers, Rose Marie			

**SULLIVAN**

Cloutier, John	Grenier, James	Smith, Steven	Sweeney, Cynthia
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and the minority committee report was adopted and ordered to third reading.

***SB 123-FN-L***, relative to the use of proceeds from the regional greenhouse gas initiative program. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Beatriz Pastor for Science, Technology and Energy: Current statute mandates that all monies remaining in the RGGI fund, after all amounts in excess of \$1 for the sale of allowances have been rebated to ratepayers, be allocated by the commission to the electrical utilities for core energy efficiency programs — which are approved by the commission and funded by the system benefit charge. SB 123, as amended, makes two changes to the current distribution of funds. First, it requires that the commission allocate at least 15% of these RGGI funds to the low-income energy efficiency program. Second, it requires that, after January 1, 2014 the core utilities dedicate up to \$ 2,000,000 of these funds for municipal and local government energy efficiency projects. The purpose of this distribution adjustment is to encourage and support municipalities in the development of energy efficiency projects within their own communities. Vote 15-3.

**Amendment (1860h)**

Amend the bill by replacing all after the enacting clause with the following:

I Energy Efficiency Fund and Use of Auction Proceeds. RSA 125-O:23, II-III are repealed and reenacted to read as follows:

II. All amounts in excess of the threshold price of \$1 for any allowance sale shall be rebated to all retail electric ratepayers in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

III. All remaining proceeds received by the state from the sale of allowances shall be allocated by the commission as an additional source of funding to electric distribution companies for core energy efficiency programs which are approved by the commission and funded by SBC funds. Beginning January 1, 2014, the core utilities shall dedicate up to \$2,000,000 of these remaining RGGI proceeds annually for municipal and local government energy efficiency projects, including projects by local governments that have their own municipal utilities. Funding elements shall include, but not be limited to, funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structured to assist municipal and local governments funding energy efficiency projects. In calendar years 2014, 2015, and 2016, any unused funds allocated to municipal and local government projects under this paragraph remaining at the end of the year shall roll over and be added to the new calendar year program funds and continue to be made available exclusively for municipal and local government projects. Beginning in calendar year 2017, and all subsequent years, funds allocated to municipal and local government projects under this paragraph shall be offered first to municipal and local governments as described in this paragraph for no less than 4 full calendar months. If, at the end of this time, municipal and local governments have not submitted

requests for eligible projects that will expend the funds allocated to municipal and local government projects under this paragraph within that program year, the funds shall be offered on a first-come, first-serve basis to business and municipal customers who fund the systems benefit charge.

2 Energy Efficiency Fund and Use of Auction Proceeds. RSA 125-O:23, II-III are repealed and reenacted to read as follows:

II. All amounts in excess of the threshold price of \$1 for any allowance sale shall be rebated to all retail electric ratepayers in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

III. All remaining proceeds received by the state from the sale of allowances shall be allocated by the commission as an additional source of funding to electric distribution companies for core energy efficiency programs which are approved by the commission and funded by SBC funds. In allocating the proceeds, the commission shall first allocate at least 15 percent of the amount of the proceeds to the low-income core energy efficiency program. Beginning January 1, 2014, the core utilities shall dedicate up to \$2,000,000 of these remaining RGGI proceeds annually for municipal and local government energy efficiency projects, including projects by local governments that have their own municipal utilities. Funding elements shall include, but not be limited to, funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structured to assist municipal and local governments funding energy efficiency projects. In calendar years 2014, 2015, and 2016, any unused funds allocated to municipal and local government projects under this paragraph remaining at the end of the year shall roll over and be added to the new calendar year program funds and continue to be made available exclusively for municipal and local government projects. Beginning in calendar year 2017, and all subsequent years, funds allocated to municipal and local government projects under this paragraph shall be offered first to municipal and local governments as described in this paragraph for no less than 4 full calendar months. If, at the end of this time, municipal and local governments have not submitted requests for eligible projects that will expend the funds allocated to municipal and local government projects under this paragraph within that program year, the funds shall be offered on a first-come, first-serve basis to business and municipal customers who fund the systems benefit charge.

3 Contingency. If HB 630-FN of the 2013 regular legislative session becomes law, section 2 of this act shall take effect January 1, 2014 at 12:01 a.m. and section 1 of this act shall take not take effect. If HB 630-FN does not become law, section 1 of this act shall take effect January 1, 2014 and section 2 of this act shall not take effect.

#### 4 Effective Date.

I. Sections 1 and 2 of this act shall take effect as provided in section 3 of this act.

II. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill allocates certain proceeds from the regional greenhouse gas initiative (RGGI) program to municipal and local government energy efficiency projects. This bill also permits return of unused allowance sale proceeds to business and municipal customers who fund the systems benefit charge. Amendment adopted.

Committee report adopted and ordered to third reading.

Rep. Moffett declared a conflict of interest and did not participate.

### **SB 148-FN, relative to electric renewable portfolio standards. OUGHT TO PASS WITH AMENDMENT.**

Rep. Nickolas J. Levasseur for Science, Technology and Energy: This bill corrects a problem that arose under the existing law that resulted in higher than expected payments into the renewable energy fund. To reduce the amount of these payments in the future, the near term renewable energy goals for Class III renewable generators have been lowered to more accurately reflect expected supply. The bill also provides short term support for the continuation of the jobs and significant economic benefits to the state from its existing biomass plants, but does so at an overall cost savings to ratepayers. The bill encourages the development of new renewable energy generators (thermal energy) with amendments to existing law which clarify the eligibility of thermal energy generators that sell steam used for heating. Finally, the bill establishes a study committee to review various aspects of NH's RPS law and program to make sure it is meeting its goals. Vote 16-1.

**Amendment (1730h)**

Amend the bill by replacing all after the enacting clause with the following:

1 Minimum Electric Renewable Portfolio Standards. Amend RSA 362-F:3 to read as follows:

362-F:3 Minimum Electric Renewable Portfolio Standards. For each year specified in the table below, each provider of electricity shall obtain and retire certificates sufficient in number and class type to meet or exceed the following percentages of total megawatt-hours of electricity supplied by the provider to its end-use customers that year, except to the extent that the provider makes payments to the renewable energy fund under RSA 362-F:10, II:

	2008	2009	2010	2011	2012	2013	2014	2015	2025
									<i>and thereafter</i>
Class I	0.0%	0.5%	1%	2%	3%	<del>[4%]</del> <b>3.8%</b>	5%	6%	15% (*)
Class II	0.0%	0.0%	0.04%	0.08%	0.15%	0.2%	0.3%	0.3%	0.3%
Class III	3.5%	4.5%	5.5%	6.5%	<del>[6.5]</del> <b>1.4%</b>	<del>[6.5%]</del> <b>1.5%</b>	<del>[7.0%]</del> <b>3.0%</b>	8.0%	8.0%
Class IV	0.5%	1%	1%	1%	1%	1.3%	1.4%	1.5%	1.5%

\*Class I increases an additional 0.9 percent per year from 2015 through 2025. A set percentage of the class I totals shall be satisfied annually by the acquisition of renewable energy certificates from qualifying renewable energy technologies producing useful thermal energy as defined in RSA 362-F:2, XV-a. The set percentage shall be ~~[0.2 percent in 2013]~~, 0.4 percent in 2014, **0.6 percent in 2015, 1.3 percent in 2016**, and increased annually by ~~[0.2]~~ **0.1** percent per year from ~~[2015 through 2025]~~ **2017 through 2023, after which it shall remain unchanged**. Classes II-IV remain at the same percentages from 2015 through 2025 except as provided in RSA 362-F:4, V-VI.

2 Electric Renewable Energy Classes; Class I (New). Amend RSA 362-F:4, I(l) to read as follows:

(l) Biomass renewable energy technologies producing useful thermal energy that began operation after January 1, 2013 provided that:

(1) If the unit is a biomass unit rated between 3 and 30 Mmbtu/hr design gross heat input, ~~[and has]~~ **it shall have** an average particulate emission rate of less than or equal to 0.10 lbs/Mmbtu as measured and verified by conducting and reporting the results of a one-time initial stack test in accordance with methods approved by the department;

(2) If the unit is a biomass unit rated equal to or greater than 30 Mmbtu/hr design gross heat input, ~~[and has]~~ **it shall have** an average particulate emission rate of less than or equal to 0.02 lbs/Mmbtu as measured and verified under RSA 362-F:12;

(3) If the unit is a biomass unit rated less than 100 Mmbtu/hr design gross heat input, ~~[and it implements]~~ best management practices as determined by the department **shall be implemented**; and

(4) If the unit is a biomass unit rated equal to or greater than 100 Mmbtu/hr design gross heat input, ~~[and it has]~~ **it shall have** a quarterly average NOx emission rate of less than or equal to 0.075 Mmbtu/hr as measured and verified under RSA 362-F:12[-]; **and**

(5) **If the unit is an upgrade or replacement to an existing source of thermal energy that used biomass as its primary fuel source in its normal operation prior to January 1, 2013, then the unit shall be a combined heat and power unit that provides district heating, and at least 80 percent of the resulting tax basis of the unit's plant and equipment, but not its property and intangible assets, shall be derived from capital investments directly related to the upgrade or replacement and made on or after January 1, 2013.**

3 Renewable Energy Fund; Rates RSA 362-F:10, III is repealed and reenacted to read as follows:

III.(a) Beginning in 2013, the commission shall adjust these rates by January 31 of each year using the Consumer Price Index as published by the Bureau of Labor Statistics of the United States Department of Labor for classes III and IV and 1/2 of such Index for classes I and II.

(b) In lieu of the adjustments under subparagraph (a) for class III in 2015, 2016 and 2017, the class rate in each of those years shall be \$45.

(c) By January 31, 2018 the commission shall compute the 2018 class III rate to equal the rate that would have resulted in 2018 by the application of subparagraph (a) to the 2013 rate and each subsequent year's rate to 2018.

(d) In 2019 and thereafter, the class III rate shall be determined by application of subparagraph (a) to the prior year's rate.

4 Renewable Portfolio Standards Study Committee.

I.(a) There is established a renewable portfolio standards study committee to study:

(1) Whether to alter the class III alternative compliance payment rates for 2018 and any subsequent years;

(2) Whether to alter the Class I, II, and IV alternative compliance payment rate in 2015 and any subsequent years;

(3) The impact that alternative compliance payments in New Hampshire and other New England states have upon the production of renewable energy;

(4) Methods to protect electric customers from increasing energy prices;

(5) The shortfall potential, if any, and reasons for the shortfall potential in the purchase percentage requirements of RSA 362-F:3; and

(6) Whether to create a cap and rebate program for the renewable energy fund to protect electric customers from higher electric rates; and

(7) The impact of renewable portfolio standards in other New England states on New Hampshire.

(b) The members of the committee shall be as follows:

(1) Two members of the senate who are members of the energy and natural resources committee, appointed by the president of the senate.

(2) Three members of the house of representatives who are members of the science, technology and energy committee, appointed by the speaker of the house of representatives.

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall study:

(a) Whether to alter the class III alternative compliance payment rate for 2018 and any subsequent years, and, if so shall propose any such changes or formula for change;

(b) Whether to alter the Class I, II, and IV alternative compliance payment rates in 2015 and any subsequent years, and, if so shall propose any such changes or formula for change;

(c) The impact that alternative compliance payments in New Hampshire and other New England states have upon the production of renewable energy;

(d) Methods to protect electric customers from increasing energy prices and impacts of the renewable portfolio standard on the competitive market for electricity;

(e) The shortfall potential, if any, and reasons for the shortfall potential in the purchase percentage requirements of RSA 362-F:3, and may propose a mechanism to provide a credit or other after the fact adjustment device against potential alternative compliance payments when the purchase percentage requirement has not been met due to eligible facilities selling into another jurisdiction's renewable portfolio standards market;

(f) Whether to create a cap and rebate program for the renewable energy fund to protect electric customers from higher electric rates;

(g) The impact of renewable portfolio standards in other New England states on New Hampshire;

(h) The impact of any proposed changes to the renewable portfolio standard on pre-existing retail and wholesale supply contracts; and

(i) The need to better coordinate and standardize renewable portfolio standards among the New England states within the ISO-NE.

IV. The committee shall solicit input from any individual or organization with relevant information or expertise.

V. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

5 Effective Date. This act shall take effect upon its passage.

Amendment adopted.

Rep. Butler offered floor amendment (2010h).

**Floor Amendment (2010h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to electric renewable portfolio standards and relative to group and individual health insurance market rules.

Amend the bill by replacing all after section 4 with the following:

5 Definitions. Amend RSA 420-G:2, II-a to read as follows:

II-a. "Composite billing" means a method of calculating premium rates for small employer groups in which each enrolled employee's rate varies only by the enrolled employee's family composition *and the enrolled member's tobacco use. The composite rates would consist of rates that vary by family composition and a rating add-on for each member that uses tobacco.*

6 New Paragraphs; Definitions; Employee. Amend RSA 420-G:2 by inserting after paragraph VI the following new paragraphs:

VI-a. "Employee" means "employee" as described under section 3(6) of the Employee Retirement Income Security Act of 1974, 29 U.S.C., section 1002(6).

VI-b. "Essential health benefits" means the categories of coverage identified in 42 U.S.C. section 18022(b)(1) and as further defined and implemented by the United States Secretary of Health and Human Services from time to time.

7 New Paragraph; Definitions; Grandfathered Health Plans. Amend RSA 420-G:2 by inserting after paragraph VII-a the following new paragraph:

VII-b. "Grandfathered health plan" or "grandfathered coverage" means coverage provided by a group health plan, or a group or individual health insurance issuer, that was initially issued on or before March 23, 2010, in which at least one individual, though not necessarily the same individual, has been enrolled at all times since March 23, 2010, and that meets all other requirements for being considered a grandfathered health plan under 45 C.F.R., section 147.140.

8 Definitions. Amend RSA 420-G:2, XII-a to read as follows:

XII-a. "List billing" means a method of calculating premium rates for small employer groups in which each enrolled employee's rate varies ~~[only]~~ by the enrolled employee's attained age ~~[and]~~, the enrolled employee's family composition, *and tobacco use by the enrolled employee and the employee's covered family.*

9 Definitions; Modified Experience Rating. Amend RSA 420-G:2, XIII-a to read as follows:

XIII-a. "Modified experience rating" means a rating methodology to apply only to individual ~~[policies]~~ *grandfathered health plans* sold in the nongroup market, which modifies community rating to allow for limited consideration of health status, as detailed in RSA 420-G:4, I(a).

10 Definitions Added. Amend RSA 420-G:2, XV-a to read as follows:

XV-a. *"Qualified health plan" means a health plan that meets all requirements for certification set forth under 42 U.S.C. section 18021 and any applicable rules or regulations.*

XV-b. "Rating period" means the time period for which the premium rate charged by a health carrier to an individual or a small employer for a health benefit plan is in effect.

XV-c. *"SHOP exchange" means the Small Business Health Options Program established for New Hampshire under 42 U.S.C. section 13031(b).*

11 Definitions; Small Employer. Amend RSA 420-G:2, XVI(a) to read as follows:

(a) "Small employer" means a business or organization which employed on average, one and up to 50 employees~~[-including owners and self-employed persons;-]~~ on business days during the previous calendar year. A small employer is subject to this chapter whether or not it becomes part of an association, multi-employer plan, trust, or any other entity cited in RSA 420-G:3 provided it meets this definition.

12 Definitions. RSA 420-G:2, XVI(a) is repealed and reenacted to read as follows:

(a) "Small employer" means a business or organization which employed on average, one and up to 100 employees on business days during the previous calendar year. A small employer is subject to this chapter whether or not it becomes part of an association, multi-employer plan, trust, or any other entity cited in RSA 420-G:3 provided it meets this definition.

13 Premium Rates. Amend RSA 420-G:4, I to read as follows:

I. Health carriers providing ~~[health]~~ *grandfathered* coverage to individuals and small employers under this chapter shall be subject to the following:

(a) All premium rates charged shall be guaranteed for a rating period of at least 12 months, and shall not be changed for any reason, including but not limited to a change in the group's case characteristics.

(b) Market rate shall be established by each health carrier for all of its *grandfathered* health [coverages] *plans* offered to individuals and, separately, for all of its *grandfathered* health [coverages] *plans* offered to small employers.

(c) Health carriers shall calculate health coverage plan rates for each of the [coverages or] *grandfathered* health [benefit] plans written by that carrier. Variations in health coverage plan rates shall be solely attributable to variations in expected utilization or cost due to differences in coverage design and/or the provider contracts or other provider costs associated with specific coverages and shall not reflect differences due to the nature of the groups or eligible persons assumed to select particular health coverages.

(d) In establishing the premium charged, health carriers providing *grandfathered* coverage to individuals shall calculate a rate that is derived from the health coverage plan rate through the application of rating factors that the carrier chooses to utilize for age, health status, and tobacco use. Such factors may be utilized only in accordance with the following limitations:

(1) The maximum premium differential for age as determined by ratio shall be 4 to 1. The limitation shall not apply for determining rates for an attained age of less than 19.

(2) The maximum differential due to health status shall be 1.5 to 1 and the maximum rate due to tobacco use shall be 1.5 to 1. Rate limitations based on health status do not apply to rate variations based on an insured's status as a tobacco user.

(3) Permissible rating characteristics shall not include changes in health status after issue.

(e) In establishing the premium charged, health carriers offering *grandfathered* coverage to small employers shall calculate premium rates that are derived from the health coverage plan rate by making adjustments to reflect one or more case characteristics. Such adjustments from the health coverage plan rate may be made only in accordance with the following limitations:

(1) In establishing the premium rates, health carriers offering *grandfathered* coverage to small employers may use only age, group size, and industry classification as case characteristics. No consideration shall be given to health status, claim experience, duration of coverage, geographic location, or any other characteristic of the group.

(2) Carriers making adjustments from the health coverage plan rate for age may do so only by using the following age brackets:

0 - 18  
19 - 24  
25 - 29  
30 - 34  
35 - 39  
40 - 44  
45 - 49  
50 - 54  
55 - 59  
60 - 64  
65 +

(3) The maximum premium rate differential after adjusting for all case characteristics as determined by ratio shall be 3.5 to 1. This limitation shall not apply for determining premium rates for covered persons whose attained age is less than 19.

(4) In establishing the premium rates, health carriers offering coverage to small employers may make further adjustments based on family composition.

(5) The small employer health carrier shall set premium rates for small employers after consideration of case characteristics of the small employer group as well as family composition. No small employer health carrier shall inquire regarding health status or claims experience of the small employer or its employees or dependents until after the premium rates have been agreed upon by the carrier and the employer.

(6) Carriers may calculate premium rates using either list billing or composite billing. Carriers shall use the same billing method in all succeeding rating periods unless the small employer agrees to allow the carrier to change the methodology.

(7) [Repealed.]

(f) Each rating factor that a carrier chooses to utilize *for grandfathered coverage* in the individual market shall be reflective of claim cost variations that correlate with that factor independently of claim cost variations that correlate with any of the other allowable factors.

(g) The same rating methodology shall apply to ~~newly covered individuals and to~~ individuals renewing at each annual renewal date, or to ~~new small employers and~~ small employers renewing at each annual renewal date or anniversary date. Rating methodology shall not be construed to include health carrier incentives to individual subscribers or members to participate in wellness and fitness programs provided such incentives are ~~[approved by the insurance department]~~ *consistent with sections 2702 and 2705 of the federal Public Health Act, and any regulations adopted thereunder.*

(h) The commissioner shall not approve any filing if such filing is excessive, inadequate, or contrary to the intent of this chapter.

***1-a. Health carriers providing health coverage to individuals and small employers under this chapter, other than grandfathered coverage, shall be subject to the following:***

***(a) All premium rates charged shall be guaranteed for a rating period of at least 12 months, and shall not be changed for any reason, including, but not limited to, a change in the group's case characteristics.***

***(b) Market rate shall be established by each health carrier for all of its health coverages offered to individuals and, separately, for all of its health coverages offered to small employers.***

***(c) Health carriers shall calculate health coverage plan rates for each of the coverages or health benefit plans written by that carrier. Variations in health coverage plan rates shall be solely attributable to variations in expected utilization or cost due to differences in coverage design and/or the provider contracts or other provider costs associated with specific coverages and shall not reflect differences due to the nature of the groups or eligible persons assumed to select particular health coverages.***

***(d)(1) In establishing the premium charged, health carriers providing coverage to individuals or small groups shall vary the premium rate with respect to the particular plan or coverage involved only by:***

***(A) Whether the plan or coverage covers an individual or family;***

***(B) Geographic rating area, as established by the commissioner pursuant to RSA 420-G:14, I(a)(1);***

***(C) Age, except that the maximum premium differential for age as determined by ratio shall be 3 to 1 for adults; and***

***(D) Tobacco use, except that the maximum differential rate due to tobacco use shall be 1.5 to 1.***

***(2) With respect to family coverage under an individual or small group health insurance policy, the rating variations permitted under subparagraphs (1)(A) and (D) shall be applied based on the portion of the premium that is attributable to each family member covered under the plan.***

***(3) Carriers must adjust each health coverage plan or premium rate for age, based on the portion of the premium that is attributable to each family member covered under the plan or certificate, using the uniform age rating factors established by the commissioner pursuant to RSA 420-G:14, I(a)(2).***

***(e) Each rating factor that a carrier uses shall be reflective of claim cost variations that correlate with that factor independently of claim cost variations that correlate with any of the other allowable factors.***

***(f) For small employers, carriers shall calculate premium rates for employee and dependent coverage on a list bill basis and shall provide the employer with a billing statement that shows premiums on both a list bill and a composite bill basis.***

***(g) The same rating methodology shall apply to newly covered individuals and to individuals renewing at each annual renewal date, or to new small employers and small employers renewing at each annual renewal date or anniversary date. Rating methodology shall not be construed to include health carrier incentives to individual subscribers or members to participate in wellness and fitness programs provided such incentives are consistent with sections 2702 and 2705 of the federal Public Health Act, and any regulations adopted thereunder.***

***(h) The commissioner shall not approve any filing if such filing is excessive, inadequate, or contrary to the intent of this chapter.***

14 New Section; Coverage of Essential Health Benefits. Amend RSA 420-G by inserting after section 4-c the following new section:

420-G:4-d Coverage of Essential Health Benefits. All health coverage offered by health carriers to individuals or small employers shall include coverage for the essential health benefits. This section shall not apply to grandfathered health coverage.



15 Medical Underwriting. Amend RSA 420-G:5, I and II to read as follows:

I. Health carriers providing **[health] grandfathered** coverage ~~[for individuals]~~ may *in the individual market only*, perform medical underwriting, including the use of health statements or screenings or the use of prior claims history, to the extent necessary to establish or modify premium rates as provided in RSA 420-G:4. ***Health carriers shall not perform medical underwriting for any other type of coverage in the individual and small group markets. Health carriers providing coverage in the large group market may perform medical underwriting.***

II. ~~[Health carriers providing health coverage for individuals may refuse to write or issue coverage to an individual because of his or her health status.]~~ Regardless of claim experience, health status, or medical history, health carriers providing health coverage for *individuals or* small employers shall not refuse to write or issue any of their available coverages or health benefit plans to any *individual or* small employer group that elects to be covered under that plan and agrees to make premium payments and meet the other requirements of the plan, ***except that this requirement shall not apply to grandfathered coverage in the individual market.***

16 Guaranteed Issue. Amend RSA 420-G:6, III to read as follows:

III. Health carriers shall actively market, issue, and renew all of the health coverages they sell in the *individual and* small employer market to all *individuals and* small employers *in that market*, ***except that this requirement shall not apply to grandfathered individual coverage. Health carriers offering health coverage to small employers shall permit small employers to purchase health coverage at any point during the year, with the small employer's health coverage consisting of the 12-month period beginning with the small employer's effective date of coverage.***

***III-a. A health carrier shall not rescind health coverage issued to an individual or with respect to an individual covered under health coverage issued to a small or large employer, including a group to which the individual belongs or family coverage in which the individual is included, after the individual is covered under the plan, unless:***

***(a) The individual, or a person seeking coverage on behalf of the individual, performs an act, practice, or omission that constitutes fraud; or***

***(b) The individual makes an intentional misrepresentation of material fact, as prohibited by the terms of the plan or coverage.***

***III-b. For the purposes of subparagraph III-a(a), a person seeking coverage on behalf of an individual does not include a producer, or an employee or authorized representative of the health carrier.***

17 Guaranteed Issue. Amend RSA 420-G:6, V(d)-(g) to read as follows:

~~(d) Failure of an employer sponsoring group coverage to meet the minimum employee participation number or percentage requirement of the health coverage.~~

~~(e) The small employer is no longer actively engaged in the business that it was engaged in on the effective date of the health coverage.~~

~~(f) The employer medically underwrites or otherwise violates a provision of this chapter.~~

~~(g)] (e) The health carrier is ceasing to offer health coverage in such market, in accordance with paragraph VII.~~

18 Guaranteed Issue. Amend RSA 420-G:6, V-a to read as follows:

***V-a. Health carriers shall not underwrite insureds at time of renewal of an individual grandfathered health plan unless an insured has applied for an increase in his or her coverage, and provided that such increase in coverage does not result in the coverage ceasing to be a grandfathered health plan.***

19 Preexisting Conditions. Amend RSA 420-G:7, I and II to read as follows:

~~I. [A health carrier providing health coverage to large employers may impose a preexisting condition exclusion period, but only if it is at least as favorable to covered persons as the following:~~

~~(a) No preexisting condition exclusion shall extend beyond a period of 9 consecutive months after the date of enrollment of the person's health coverage; and~~

~~(b) Such preexisting condition exclusion period may only apply to a condition, whether physical or mental, regardless of the cause of the condition, for which medical advice, diagnosis, care or treatment was recommended or received during the 3 months immediately preceding the enrollment date of health coverage.] A health carrier issuing health coverage to small or large employers shall not impose any preexisting condition exclusion with respect to such coverage. A health carrier issuing individual health coverage that is not a grandfathered health plan shall~~

***not impose any preexisting condition exclusion with respect to such coverage. A health carrier issuing individual health coverage under a grandfathered health plan may impose a preexisting condition exclusion only as permitted by this section.***

II. A health carrier providing health coverage ~~[to individuals or small employers]~~ ***in the individual market under a grandfathered plan*** may impose a preexisting condition exclusion period, but only if it is at least as favorable to covered persons as the following:

(a) No preexisting condition exclusion period shall extend beyond a period of 9 consecutive months after the date ~~[of enrollment]~~ of the person's ***enrollment in the grandfathered health [coverage] plan.***

(b) Such preexisting condition exclusion period may only apply to a condition, whether physical or mental, regardless of the cause of the condition, for which medical advice, diagnosis, care, or treatment was received or recommended during the 3 months immediately preceding the date ~~[of enrollment]~~ of the person's ***enrollment in the grandfathered health [coverage] plan.***

20 Preexisting Conditions. Amend RSA 420-G:7, V and the introductory paragraph of paragraph VI to read as follows:

V. Health carriers shall provide written certification of the period of creditable coverage which accumulated while a person was under the health coverage plan, and shall also state any waiting period which was imposed prior to receiving health coverage.

~~[(a)]~~ The written certification shall be provided at the time a person ceases to be covered under a health coverage plan, and on a request made on behalf of the person made not later than 24 months after the date of the cessation of coverage.

~~[(b) A health carrier, which elects to credit coverage under the method set forth in rules pursuant to paragraph IV that enrolls a person with a certificate of creditable coverage, may request of the entity that issued the certificate the additional information required under the rules. The issuing entity shall promptly disclose such information to the health carrier, but may charge the reasonable costs of disclosing such information.]~~

VI. A health carrier providing health coverage ~~[to large or small employer groups]~~ ***under a grandfathered health plan for which a preexisting condition exclusion period is allowed*** shall not:

21 Open Enrollment. RSA 420-G:8 is repealed and reenacted to read as follows:

420-G:8 Open Enrollment.

I. Each small employer group shall have an annual employee open enrollment period 60 days in length, occurring prior to the small employer group's anniversary date. During open enrollment, employees or eligible dependents may apply to the small employer for health coverage or make a change in their membership status becoming effective upon the small employer group's anniversary date, subject to providing the health carrier 30-days notice.

(a) A health carrier shall not refuse any small employer employees or eligible dependents applying for health coverage during the open enrollment period.

(b) Employees or eligible dependents coming on at the time of an open enrollment period shall have the same premiums as the rest of the small employer group shall have upon the new or renewal effective date.

II. A small employer employee who has met any employer imposed waiting period and is otherwise eligible for health coverage, who declines a small employer's health coverage plan during the initial offering or subsequent open enrollment period, shall be a late enrollee and shall not be allowed on the plan until the next open enrollment period.

III. A large employer employee, who has met any employer imposed waiting period and is otherwise eligible for health coverage, may enroll within 31 days of becoming eligible and shall not be required to submit evidence of insurability based on medical conditions. If a person does not enroll at this time, that person is a late enrollee. Each large employer group shall have an open enrollment period during which late enrollees may enroll and shall not be required to submit evidence of insurability based on medical conditions.

IV. Paragraphs II and III notwithstanding, an eligible employee or eligible dependent shall not be considered a late enrollee if:

(a) The person was covered under public or private health coverage at the time the person was able to enroll; and

(1) Has lost public or private health coverage as a result of termination of employment or eligibility, the termination of the other plan's coverage, death of a spouse, or divorce; and

(2) Requests enrollment within 30 days after termination of such health coverage; or

(b) Is employed by an employer that offers multiple health coverages and the person elects a different plan during an open enrollment period; or

(c) Was ordered by a court to provide health coverage for an ex-spouse or a minor child under a covered employee's plan and the request for enrollment is made within 30 days after issuance of such court order.

V.(a) If individual coverage offered by a health carrier or a large or small employer group's health coverage plan offers dependent coverage and the individual is enrolled in such coverage or the employee is enrolled or has met any applicable waiting period and is eligible to be enrolled, but for a failure to do so during a previous open enrollment period, a person who becomes a dependent of the individual or employee through marriage, birth, adoption or placement for adoption, and the employee if not otherwise enrolled, shall be provided with a special enrollment period.

(b) If an individual has minimum essential coverage through individual coverage offered by a health carrier or as an employee through a large or small employer group's health coverage plan, and the individual loses such coverage for any reason other than failure to pay premiums or a basis on which rescission is permitted pursuant to RSA 420-G:6, IV, the individual shall be provided with a special open enrollment period under any other individual health coverage or any large or small employer group health coverage plan for which the individual becomes eligible.

(c) The special enrollment period shall be at least 60 days in length and shall begin on the later of:

(1) The date dependent health coverage is made available; or

(2) The date of the marriage, birth, adoption, placement for adoption, or loss of minimum essential coverage, as the case may be.

(d) If the person seeks enrollment during such special enrollment period, the health coverage shall become effective:

(1) In the case of marriage or loss of minimum essential coverage, on or before the first day of the first month following the completed request for enrollment;

(2) In the case of birth, as of the date of birth; or

(3) In the case of adoption or placement for adoption, the date of such adoption or placement for adoption.

VI. Health carriers offering individual health coverage shall have initial and annual open enrollment periods as follows:

(a) For health coverage that becomes effective on or after January 1, 2014, but before January 1, 2015, there shall be an initial open enrollment period beginning on October 1, 2013 and extending through March 31, 2014.

(b) For health coverage that becomes effective on or after January 1, 2015, there shall be an annual open enrollment period beginning on October 15th and extending through December 7th of the calendar year preceding the year in which the health coverage becomes effective.

22 Participation Requirements. Amend RSA 420-G:9, I and II to read as follows:

I. For coverage purchased outside of the SHOP exchange, a health carrier may not require more than the minimum participation percentage of the employees eligible for health coverage in a small employer group to participate in the health carrier's health coverage plan. The minimum participation percentage shall be 75 percent when the health carrier's plan is the sole health coverage plan being sponsored by the employer group, and 37.5 percent when the health carrier's plan is not the sole health coverage plan being sponsored by the employer group.

***I-a. For coverage purchased in the SHOP exchange, the exchange shall not require more than the minimum participation percentage of the employees eligible for health coverage in a small employer group to participate in the SHOP exchange, equal to 75 percent. No health carrier shall apply any other participation test.***

II. For the purpose of calculating whether or not a small employer group's enrollment meets a carrier's minimum participation requirements:

(a) Any full-time or part-time employees who are covered as a dependent on another person's health coverage ***or are enrolled in a governmental plan such as Medicare, Medicaid, or TRICARE*** shall be excluded from the count.

(b) ***Any full-time or part-time employees who have been found eligible for a premium tax credit and are enrolled in a qualified health plan purchased through an exchange shall be excluded from the count.***

(c) The total number of full-time employees and part-time employees who are otherwise eligible for health coverage shall be counted.

23 New Paragraph; Participation Requirements. Amend RSA 420-G:9 by inserting after paragraph IV the following new paragraph:

V. The requirements under this section shall be the only participation requirements. Minimum employer contributions, or other criteria, shall not be permitted.

24 Rulemaking. Amend RSA 420-G:14, I to read as follows:

I.(a) The commissioner [~~may~~] **shall** adopt rules, under RSA 541-A, [~~necessary to the proper administration of this chapter.~~] **relative to establishing:**

(1) ***Uniform age rating levels that are consistent with 45 C.F.R. 147.102.***

(2) ***Special enrollment periods designed to allow employees to purchase individual coverage on the exchange during their employer's open enrollment period, even if the employer's open enrollment period does not coincide with the open enrollment period in the individual market.***

(b) ***The commissioner may adopt further rules, pursuant to RSA 541-A, necessary to the proper administration of this chapter.***

25 Preexisting Conditions. RSA 415-A:5, III is repealed and reenacted to read as follows:

III. Health carriers issuing policies subject to RSA 420-G shall not impose any preexisting condition exclusion that is inconsistent with that chapter.

26 Coverage for Clinical Trials. RSA 415:18-I, I-III are repealed and reenacted to read as follows:

I. In this section:

(a) "Clinical trials" mean Phase I, Phase II, Phase III, and Phase IV clinical trials.

(b) "Cooperative group" means a formal network of facilities that collaborate on research projects and have an established National Institute of Health (NIH) approved peer review program operating within the group.

(c) "FDA" means the federal Food and Drug Administration.

(d) "Member" means the policyholder, subscriber, insured, or certificate holder, or a covered dependent of a policyholder, subscriber, insured, or certificate holder.

(e) "NIH" means the National Institutes of Health.

(f) "Non-routine patient care cost" means:

(1) The cost of an investigational new drug or device that is not approved for market for any indication by the FDA.

(2) The cost of a non-health care service that a member may be required to receive as a result of the treatment being provided for the purposes of the clinical trial.

(3) The costs of services that are clearly inconsistent with widely accepted and established regional or national standards of care for a particular diagnosis.

(4) Costs associated with managing the research associated with the clinical trial.

(5) Non-covered costs under the member's policy, plan, or contract.

(g) "Routine patient care cost" means the cost of any medically necessary health care service that is incurred as a result of the treatment being provided to a member of a health plan. Routine costs are those for which the health plan regularly reimburses its members, health care providers, or health care institutions subject to the terms and conditions of the member's policy and the provider's service agreement with the insurer.

II. A policy, plan, or contract subject to this section shall provide coverage for all medically necessary routine patient care costs incurred as a result of a treatment being provided in accordance with a clinical trial to the extent such costs would be covered for noninvestigational treatments if the treatment is being provided or the studies are being conducted in a phase I, phase II, phase III, or phase IV clinical trial for cancer or the treatment is being provided for any other life-threatening condition.

III. The coverage required under paragraph II shall be required if:

(a) The treatment is being provided to the member in a clinical trial approved by:

(1) One of the National Institutes of Health;

(2) The Centers for Disease Control and Prevention;

(3) The Agency for Healthcare Research and Quality;

(4) The Centers for Medicare and Medicaid Services;

(5) An NIH cooperative group or an NIH center or a cooperative group or center of any of the entities described in subparagraphs (1) through (4) or the Department of Defense or the Department of Veterans Affairs;

(6) A qualified non-governmental research entity identified in the guidelines issued by the National Institutes of Health for center support grants;

(7) The FDA in the form of an investigational new drug application or exemption;

(8) The federal Department of Veterans Affairs or Defense or the federal Department of Energy; provided that the treatment meets the requirement of 42 U.S.C., section 30099-8(d)(2); or

(9) An institutional review board of an institution in this state that has a multiple assurance contract approved by the Office of Protection from Research Risks of the NIH.

(b) The member is eligible to participate in an approved clinical trial according to the trial protocol with respect to treatment of cancer or other life-threatening disease or condition; and either (1) the referring provider is a participating provider and has concluded that the member's participation in such clinical trial would be appropriate based upon the member meeting the conditions described in this subparagraph; or (2) the member provides medical and scientific information establishing that the member's participation in such clinical trial would be appropriate based upon the member meeting the conditions described in this subparagraph.

27 Coverage for Clinical Trials. Amend RSA 415:18-I, V to read as follows:

V. The provisions of this section shall apply to *individual and* group hospital and medical expense policies subject to RSA 415, health service corporations under RSA 420-A, health maintenance organizations under RSA 420-B, and managed care organizations under RSA 420-J.

28 Coverage for Clinical Trials. Amend RSA 415:18-I, VIII to read as follows:

VIII. The provisions of this section shall not apply to a policy, plan, or contract paid for under the federal Medicare program [~~nor~~], the state children's health insurance program, *or to a plan that meets the definition of a grandfathered health plan under RSA 420-G:2, VII-b.*

29 Reference Change. Amend RSA 420-G:4-c, II to read as follows:

II. A carrier shall offer a limited open enrollment period [~~consistent with the requirements of RSA 420-G:8, I-a~~] during which time an employee having a cafeteria plan under RSA 275:43-c may purchase small employer group health coverage. A carrier may apply its rating factor for group size of one to the premium charged for coverage sold to an employee on an individual basis through a payroll deduction, but shall not apply participation requirements under RSA 420-G:9, I to coverage purchased by an employee through a cafeteria plan established pursuant to RSA 275:43-c.

30 New Section; Prohibition on Lifetime or Annual Limits; Coverage of Preventative Health Services. Amend RSA 420-G by inserting after section 3 the following new section:

420-G:3-a Prohibition on Lifetime or Annual Limits; Coverage of Preventative Health Services.

I. All health coverage offered by health carriers to individuals, small employers, or large employers shall:

(a) Not contain lifetime or annual limits, in accordance with 42 U.S.C. section 300gg-11(a); and

(b) Provide coverage for preventative health services, without any cost-sharing requirements, in accordance with 42 U.S.C. section 300gg-13.

II. This section shall not apply to grandfathered health coverage.

31 New Section; Consistency. Amend RSA 420-N by inserting after section 6 the following new section:

420-N:6-a Consistency. In order to prevent a default to federal regulation and to preserve the state's status as the sole regulator of the business of insurance within the state, the oversight committee shall have the authority to find, with respect to any specific provision within Title XXXVII, that the provision is inconsistent with and prevents the application of the Act and to authorize the commissioner, on a provisional basis, to implement a specific provision of the Act. The commissioner's authority to implement this provision shall extend only until such time as the general court can take legislative action to amend Title XXXVII as it deems appropriate.

32 Report Required. The commissioner shall issue a report to the speaker of the house of representatives, the president of the senate, the house and senate committees having jurisdiction over commerce issues, and the governor no later than December 1, 2013 with respect to considerations and possible approaches to the creation of geographic rating areas for the individual and small group markets and with respect to the possibility of requiring that carriers applying a tobacco rating factor in the individual market make available a tobacco cessation wellness program, participation in which would fully offset any increase in premium due to the tobacco rating factor.

33 Repeal. The following are repealed:

I. RSA 420-G:4-b, relative to New Hampshire HealthFirst.

II. RSA 420-G:7, IV, relative to alternative method of crediting coverage.

34 Effective Date.

I. Sections 31 and 32 of this act shall take effect 60 days after its passage.

II. Section 12 of this act shall take effect January 1, 2016.

III. Sections 5-11, 13-30, and 33 shall take effect January 1, 2014.

IV. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill makes adjustments in the purchase percentage requirements and the alternative compliance payment amount and mechanism under the electric renewable portfolio standards law. This bill establishes a renewable portfolio standards study committee.

This bill also makes changes to the statute applicable to health insurance carriers offering major medical health insurance coverage in the group and individual markets in New Hampshire.

Rep. William O'Brien spoke against and yielded to questions.

Rep. Butler spoke in favor and yielded to questions.

Rep. Tucker spoke against and requested a roll call; sufficiently seconded.

### YEAS 166 NAYS 119

#### YEAS 166

#### BELKNAP

DiMartino, Lisa	Gulick, Ruth	Huot, David	Raymond, Ian
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#### CARROLL

Buco, Thomas	Butler, Edward	Ticehurst, Susan	White, Syndi
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#### CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Emerson, Susan	Johnsen, Gladys	Ley, Douglas	Roberts, Kris
Sad, Tara	Tatro, Bruce	Weber, Lucy	Weed, Charles

#### COOS

Enman, Larry	Hammon, Marcia	Hatch, William	Moynihan, Wayne
Theberge, Robert			

#### GRAFTON

Almy, Susan	Benn, Bernard	Brown, Rebecca	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Higgins, Patricia
Lauer, Linda	Lovett, Sid	Massimilla, Linda	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy	Sykes, George
Townsend, Charles			

#### HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Campbell, David	Carroll, Douglas
Chandley, Shannon	Christiansen, Lars	Connor, Evelyn	Cote, David
DiSilvestro, Linda	Eaton, Richard	Gage, Ruth	Gale, Sylvia
Gorman, Mary	Grady, Brenda	Hackel, Paul	Hammond, Jill
Hansberry, Daniel	Harriott-Gathright, Linda	Heden, Ruth	Jack, Martin
Jeady, Jean	Kelley, John	Knowles, Mary Ann	Kopka, Angeline
Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie	Long, Patrick
MacKay, Mariellen	Manley, Jonathan Sr	McCloskey, David	McNamara, Richard
Nelson, Mary	O'Brien, Michael Sr	Porter, Marjorie	Rosenwald, Cindy
Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara	Spratt, Stephen
Sullivan, Peter	Vail, Suzanne	Walsh, Robert Jr	Williams, Kermit
Winters, Joel	Woodbury, David		

**MERRIMACK**

Alicea, Caroletta  
 Carson, Clyde  
 French, Barbara  
 Hunt, Jane  
 Myler, Mel  
 Rogers, Katherine  
 Tilton, Joy

Bartlett, Christy  
 Davis, Frank  
 Gile, Mary  
 Karrick, David Jr  
 Ratzki, Mario  
 Schamberg, Thomas  
 Wallner, Mary Jane

Bouchard, Candace  
 Ebel, Karen  
 Hirsch, Geoffrey  
 MacKay, James  
 Rice, Chip  
 Schuett, Dianne  
 Walz, Mary Beth

Burns, Scott  
 Frambach, Mary  
 Hoell, J.R.  
 Moffett, Howard  
 Richardson, Gary  
 Shurtleff, Stephen  
 Webb, Leigh

**ROCKINGHAM**

Borden, David  
 Cali-Pitts, Jacqueline  
 Heffron, Frank  
 Muns, Chris  
 Sherman, Thomas

Briden, Steven  
 Cushing, Robert Jr  
 Lovejoy, Patricia  
 Pantelakos, Laura  
 Till, Mary

Burtis, Elizabeth  
 Emerson-Brown, Rebecca  
 Mann, Maureen  
 Scarlotto, Joe  
 Ward, Gerald

Cahill, Michael  
 Flockhart, Eileen  
 Moody, Marcia  
 Schlachman, Donna  
 Whittemore, Lisa

**STRAFFORD**

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Malloy, Dennis  
 Rollo, Deanna  
 Stevens, Audrey

Bickford, David  
 Gardner, Janice  
 Horrigan, Timothy  
 Pelletier, Marsha  
 Schmidt, Peter  
 Verschueren, James

Bixby, Peter  
 Ginsburg, Philip  
 Hubbard, Pamela  
 Perry, Robert  
 Smith, Marjorie  
 Wall, Janet

Burdwood, Greg  
 Grassie, Anne  
 Kaen, Naida  
 Rogers, Rose Marie  
 Spang, Judith

**SULLIVAN**

Cloutier, John  
 Schmidt, Andrew

Gagnon, Raymond  
 Sweeney, Cynthia

Gottling, Suzanne  
 Tanner, Linda

Irwin, Virginia

**NAYS 119****BELKNAP**

Burchell, Richard  
 Greemore, Robert Jr  
 Vadney, Herbert

Fields, Dennis  
 Holmes, Stephen  
 Worsman, Colette

Fink, Charles  
 Sylvia, Michael

Flanders, Donald  
 Tilton, Franklin

**CARROLL**

Ahlgren, Christopher  
 McConkey, Mark  
 Umberger, Karen

Chandler, Gene  
 Merrow, Harry  
 Wright, Donald

Cordelli, Glenn  
 Nelson, Bill

Crawford, Karel  
 Schmidt, Stephen

**CHESHIRE**

Hunt, John

Johnson, Jane

Parkhurst, Henry

**COOS**

Rappaport, Laurence

Richardson, Herbert

**GRAFTON**

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

Reilly, Harold Sr

**HILLSBOROUGH**

Barry, Richard  
 Byron, Frank  
 Danielson, David  
 Graham, John  
 Jasper, Shawn  
 LeVasseur, Richard  
 Murotake, David  
 Parison, James  
 Sanborn, Laurie  
 Vaillancourt, Steve

Belanger, James  
 Coffey, James  
 Gagne, Larry  
 Haefner, Robert  
 Kurk, Neal  
 Martel, Andre  
 Notter, Jeanine  
 Pellegrino, Tony  
 Sandblade, Emily  
 Villeneuve, Moe

Boehm, Ralph  
 Culbert, Patrick  
 Garcia, Michael  
 Hikel, John  
 Lambert, George  
 McCarthy, Michael  
 O'Brien, William  
 Pratt, Calvin  
 Straight, Philip  
 Warden, Mark

Burt, John  
 Daniels, Gary  
 Gargas, Carolyn  
 Infantine, William  
 LeBrun, Donald  
 Meaney, Richard  
 Palmer, Stephen  
 Rowe, Robert  
 Takesian, Charlene  
 Willette, Robert

**MERRIMACK**

Lockwood, Priscilla

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
 Chirichiello, Brian  
 DeSimone, Debra  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 O'Connor, John  
 Rice, Frederick  
 Sweeney, Joe  
 Waterhouse, Kevin

Allen, Mary  
 Comerford, Timothy  
 Duarte, Joe  
 Hagan, Joseph  
 Introne, Robert  
 Major, Norman  
 Packard, Sherman  
 Schroadter, Adam  
 Sytek, John  
 Webb, James Sr

Baldasaro, Alfred  
 Copeland, Timothy  
 Dumaine, Dudley  
 Harris, Jeffrey  
 Itse, Daniel  
 Miltz, David  
 Peckham, Michele  
 Sedensky, John  
 Tremblay, Stella  
 Weyler, Kenneth

Bick, Patrick  
 Danais, Romeo  
 Emerick, J. Tracy  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Nigrello, Robert  
 Priestley, Anne  
 St.James, Kevin  
 Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
 Mullen, John Jr

Gray, James  
 Pitre, Joseph

Groen, Warren

Jones, Laura

**SULLIVAN**

Grenier, James  
 and floor amendment (2010h) was adopted.

Smith, Steven

The question now being adoption of the committee report of Ought to Pass with Amendment.  
 Rep. Worsman requested a roll call; sufficiently seconded.

**YEAS 170 NAYS 113****YEAS 170****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Bucu, Thomas

Butler, Edward

Ticehurst, Susan

White, Syndi

**CHESHIRE**

Ames, Richard  
 Emerson, Susan  
 Parkhurst, Henry  
 Weber, Lucy

Berch, Paul  
 Hunt, John  
 Roberts, Kris  
 Weed, Charles

Butynski, William  
 Johnsen, Gladys  
 Sad, Tara

Chase, Cynthia  
 Ley, Douglas  
 Tatro, Bruce

**COOS**

Enman, Larry  
 Theberge, Robert

Hammon, Marcia

Hatch, William

Moynihan, Wayne

**GRAFTON**

Almy, Susan  
 Ford, Susan  
 Lauer, Linda  
 Nordgren, Sharon  
 Townsend, Charles

Benn, Bernard  
 Friedrich, Carol  
 Lovett, Sid  
 Pastor, Beatriz

Brown, Rebecca  
 Harding, Laurie  
 Massimilla, Linda  
 Piper, Wendy

Cooney, Mary  
 Higgins, Patricia  
 Mulholland, Catherine  
 Sykes, George

**HILLSBOROUGH**

Backus, Robert  
 Chandley, Shannon  
 DiSilvestro, Linda  
 Gargas, Carolyn  
 Hammond, Jill  
 Infantine, William  
 Knowles, Mary Ann  
 Levesque, Melanie

Beaulieu, Jane  
 Christiansen, Lars  
 Eaton, Richard  
 Gorman, Mary  
 Hansberry, Daniel  
 Jack, Martin  
 Kopka, Angeline  
 Long, Patrick

Campbell, David  
 Connor, Evelyn  
 Gage, Ruth  
 Grady, Brenda  
 Harriott-Gathright, Linda  
 Jeudy, Jean  
 Leishman, Peter  
 MacKay, Mariellen

Carroll, Douglas  
 Cote, David  
 Gale, Sylvia  
 Hackel, Paul  
 Heden, Ruth  
 Kelley, John  
 Levasseur, Nickolas  
 Manley, Jonathan Sr



McCloskey, David  
Porter, Marjorie  
Shaw, Barbara  
Vail, Suzanne  
Woodbury, David

McNamara, Richard  
Rosenwald, Cindy  
Spratt, Stephen  
Walsh, Robert Jr

Nelson, Mary  
Schmidt, Janice  
Straight, Philip  
Williams, Kermit

O'Brien, Michael Sr  
Shattuck, Gilman  
Sullivan, Peter  
Winters, Joel

### MERRIMACK

Alicea, Caroletta  
Carson, Clyde  
French, Barbara  
Hunt, Jane  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Bouchard, Candace  
Ebel, Karen  
Hirsch, Geoffrey  
Mackay, James  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Burns, Scott  
Frambach, Mary  
Hoell, J.R.  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy

### ROCKINGHAM

Borden, David  
Cali-Pitts, Jacqueline  
Heffron, Frank  
Muns, Chris  
Sherman, Thomas

Briden, Steven  
Cushing, Robert Jr  
Lovejoy, Patricia  
Pantelakos, Laura  
Till, Mary

Burtis, Elizabeth  
Emerson-Brown, Rebecca  
Mann, Maureen  
Scarlottio, Joe  
Ward, Gerald

Cahill, Michael  
Flockhart, Eileen  
Moody, Marcia  
Schlachman, Donna  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Malloy, Dennis  
Rollo, Deanna  
Stevens, Audrey

Bickford, David  
Gardner, Janice  
Horrigan, Timothy  
Pelletier, Marsha  
Schmidt, Peter  
Verschueren, James

Bixby, Peter  
Ginsburg, Philip  
Hubbard, Pamela  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Rogers, Rose Marie  
Spang, Judith

### SULLIVAN

Cloutier, John  
Schmidt, Andrew

Gagnon, Raymond  
Sweeney, Cynthia

Gottling, Suzanne  
Tanner, Linda

Irwin, Virginia

### NAYS 113

### BELKNAP

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

Flanders, Donald  
Tilton, Franklin

### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

### CHESHIRE

Johnson, Jane

### COOS

Rappaport, Laurence

Richardson, Herbert

### GRAFTON

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

Reilly, Harold Sr

### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Danielson, David  
Haefner, Robert  
Lambert, George

Belanger, James  
Coffey, James  
Gagne, Larry  
Hikel, John  
LeBrun, Donald

Boehm, Ralph  
Culbert, Patrick  
Garcia, Michael  
Jasper, Shawn  
LeVasseur, Richard

Burt, John  
Daniels, Gary  
Graham, John  
Kurk, Neal  
Martel, Andre

McCarthy, Michael  
O'Brien, William  
Pratt, Calvin  
Takesian, Charlene  
Willette, Robert

Meaney, Richard  
Palmer, Stephen  
Rowe, Robert  
Vaillancourt, Steve

Murotake, David  
Parison, James  
Sanborn, Laurie  
Villeneuve, Moe

Notter, Jeanine  
Pellegrino, Tony  
Sandblade, Emily  
Warden, Mark

### MERRIMACK

Lockwood, Priscilla

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
Chirichiello, Brian  
DeSimone, Debra  
Griffin, Mary  
Hoelzel, Kathleen  
Major, Norman  
Packard, Sherman  
Schroader, Adam  
Sytek, John  
Webb, James Sr

Allen, Mary  
Comerford, Timothy  
Duarte, Joe  
Hagan, Joseph  
Introne, Robert  
Milz, David  
Peckham, Michele  
Sedensky, John  
Tremblay, Stella  
Weyler, Kenneth

Baldasaro, Alfred  
Copeland, Timothy  
Dumaine, Dudley  
Harris, Jeffrey  
Kappler, Lawrence  
Nigrello, Robert  
Priestley, Anne  
St.James, Kevin  
Tucker, Pamela

Bick, Patrick  
Danais, Romeo  
Emerick, J. Tracy  
Hodgdon, Bruce  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
Sweeney, Joe  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

### SULLIVAN

Grenier, James

Smith, Steven

and the committee report was adopted and ordered to third reading.

Reps. Itse and Moffett declared conflicts of interest and did not participate.

**SB 189-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Susan W. Almy for the Majority of Ways and Means: The bill merges the plumbing and gas-fitting trades in one board and updates the law of both. The committee found two problems. The first is a matter of fee policy: the bipartisan consensus is that the long-standing policy on 125 percent agencies does not work for professions engaged in strongly cyclical industries, such as construction. In order to avoid delaying this critical bill, we have committed to developing a bill on this issue for next year. The other is a matter of first-committee policy: since it left the first committee, complaints have arisen that the bill does not allow simply plumbing to be done by unlicensed relatives and neighbors of a homeowner, nor by the owner of a duplex or quadplex unit or summer cottage. The committee can only deal with the fees, but the committee expects that this second problem will be addressed in a floor amendment. We have no problem otherwise with the bill's fee or fund structure as developed in the Senate. Vote 12-1.

Rep. Laurie J. Sanborn for the Minority of Ways and Means: During the executive session, the minority learned about a significant policy problem with this bill which would eliminate property owners' ability to fix their own water plumbing. We hope that an amendment will be put forth that will fix an otherwise good bill. If a suitable amendment cannot be moved, the minority regretfully recommends ITL.

The question being adoption of the majority committee report of Ought to Pass.

Rep. Carol McGuire offered floor amendment (1965h).

### Floor Amendment (1965h)

Amend RSA 153:36, I as inserted by section 8 of the bill by replacing it with the following:

I. The license requirements of this subdivision shall not apply to anyone who performs fuel gas fitting within an existing single family, stand alone structure owned and occupied by the person who performs the fuel gas fitting work, and such structure is used as the individual's primary residence. Notwithstanding any provision to the contrary, any person who is exempt under this paragraph shall

perform fuel gas fitting work in accordance with applicable technical standards, and comply with any applicable code, application, and inspection requirements that may apply to the fuel gas fitting work performed.

Amend RSA 153:36 as inserted by section 8 of the bill by inserting after paragraph VII the following new paragraph:

***VIII. The license requirements of this subdivision shall not apply to the following persons while performing plumbing work under the circumstances specifically described; provided, however, that plumbing installed or maintained by such persons under such circumstances shall conform to the state plumbing code:***

***(a) To regular employees of public utilities, as defined in RSA 362:2, when working as such.***

***(b) To a person, firm, corporation, or limited liability company who regularly employs a person whose duties include installation and maintenance of plumbing on the property of that person, firm, corporation, or limited liability company, when such employee is actually so engaged.***

***(c) To a property owner or the property owner's agent who installs, repairs, or replaces plumbing in the property owner's own single-family detached or townhouse residence, including new construction, or any property owner or property owner's agent who makes minor installations, repairs, or replacements to the owner's property.***

Rep. Carol McGuire spoke in favor.

Floor amendment (1965h) adopted.

Committee report adopted and ordered to third reading.

### **BILL REMOVED FROM THE CONSENT CALENDAR OF MAY 22, 2013**

***SB 97***, relative to high school equivalency and relative to illiteracy. **OUGHT TO PASS.**

Rep. Rick M. Ladd for Education: The American Council on Education, GED's long-time non-profit administrator, has now partnered with Pearson, the world's largest education and testing company, to redesign the GED test, making it a for-profit enterprise for the first time. New Hampshire's contract with GED expires on December 31 of this year. This bill replaces statutory reference to the GED certificate with the term "high school equivalency." To replace the GED, NH DOE has selected the high school equivalency test, produced by ETS and Iowa Testing Programs, both well-known and successful non-profits. ETS currently produces widely used tests such as: PSAT, SAT, GRE, PRAXIS and AP. This is a proven test and measurement record. Lastly, Pearson has announced that an individual's GED testing costs will total \$120 and that the test will only be offered online. The one time fee, to include two retests for the high school equivalency test by ETS, will cost \$50.00. This is a considerable savings while providing a transition period in which test takers may opt for either the pencil/paper or online versions. Vote 18-1.

### **MOTION TO DIVIDE**

Rep. Hoell moved that section 3 be divided from the bill and spoke in favor.  
Motion failed.

The question now being adoption of the committee report of Ought to Pass.

Rep. Hoell spoke against.

Rep. Ladd spoke in favor.

Rep. Sylvia requested a roll call; sufficiently seconded.

### **YEAS 229 NAYS 46**

#### **YEAS 229**

#### **BELKNAP**

Burchell, Richard  
Gulick, Ruth  
Vadney, Herbert

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

#### **CARROLL**

Ahlgren, Christopher  
Cordelli, Glenn  
Nelson, Bill  
White, Syndi

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen

Butler, Edward  
McConkey, Mark  
Ticehurst, Susan

Chandler, Gene  
Merrow, Harry  
Umberger, Karen

**CHESHIRE**

Ames, Richard  
Emerson, Susan  
Ley, Douglas  
Weber, Lucy

Berch, Paul  
Hunt, John  
Parkhurst, Henry  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Sad, Tara

Chase, Cynthia  
Johnson, Jane  
Tatro, Bruce

**COOS**

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William

Moynihan, Wayne

**GRAFTON**

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy

Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr

Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Barry, Richard  
Campbell, David  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Hackel, Paul  
Heden, Ruth  
Kelley, John  
Lambert, George  
Long, Patrick  
McCloskey, David  
O'Brien, Michael Sr  
Rowe, Robert  
Shaw, Barbara  
Takesian, Charlene  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
Cote, David  
Eaton, Richard  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Knowles, Mary Ann  
Leishman, Peter  
Mackay, Mariellen  
McNamara, Richard  
Palmer, Stephen  
Sanborn, Laurie  
Spratt, Stephen  
Vail, Suzanne  
Winters, Joel

Belanger, James  
Christiansen, Lars  
Culbert, Patrick  
Gage, Ruth  
Grady, Brenda  
Hansberry, Daniel  
Jasper, Shawn  
Kopka, Angeline  
LeVasseur, Richard  
Manley, Jonathan Sr  
Murotake, David  
Pellegrino, Tony  
Schmidt, Janice  
Straight, Philip  
Walsh, Robert Jr  
Woodbury, David

Byron, Frank  
Coffey, James  
Danielson, David  
Gale, Sylvia  
Graham, John  
Harriott-Gathright, Linda  
Jeu, Jean  
Kurk, Neal  
Levesque, Melanie  
McCarthy, Michael  
Nelson, Mary  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Peter  
Willette, Robert

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Gile, Mary  
Lockwood, Priscilla  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy

Bartlett, Christy  
Davis, Frank  
Hirsch, Geoffrey  
Mackay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Bouchard, Candace  
Frambach, Mary  
Hunt, Jane  
McGuire, Carol  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Burns, Scott  
French, Barbara  
Karrick, David Jr  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick  
Briden, Steven  
Copeland, Timothy  
Emerick, J. Tracy  
Hagan, Joseph  
Kappler, Lawrence  
Muns, Chris  
Pantelakos, Laura  
Scarlott, Joe  
Sweeney, Joe  
Waterhouse, Kevin

Allen, Mary  
Burtis, Elizabeth  
Cushing, Robert Jr  
Emerson-Brown, Rebecca  
Harris, Jeffrey  
Lovejoy, Patricia  
Nigrello, Robert  
Peckham, Michele  
Schlachman, Donna  
Sytek, John  
Webb, James Sr

Bick, Patrick  
Cahill, Michael  
DeSimone, Debra  
Flockhart, Eileen  
Heffron, Frank  
Mann, Maureen  
O'Connor, John  
Priestley, Anne  
Sherman, Thomas  
Till, Mary  
Weyler, Kenneth

Borden, David  
Chirichiello, Brian  
Dumaine, Dudley  
Griffin, Mary  
Hoelzel, Kathleen  
Moody, Marcia  
Packard, Sherman  
Rice, Frederick  
St.James, Kevin  
Ward, Gerald  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Ginsburg, Philip  
Jones, Laura  
Perry, Robert  
Schmidt, Peter  
Verschueren, James

Bickford, David  
Grassie, Anne  
Kaen, Naida  
Pitre, Joseph  
Smith, Marjorie  
Wall, Janet

Burdwood, Greg  
Grossman, Kenneth  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith

Burke, Rachel  
Horriggan, Timothy  
Pelletier, Marsha  
Rollo, Deanna  
Stevens, Audrey

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

Grenier, James  
Sweeney, Cynthia

**NAYS 46**

**BELKNAP**

Fink, Charles  
Worsman, Colette

Greemore, Robert Jr

Holmes, Stephen

Sylvia, Michael

**CARROLL**

Wright, Donald

**CHESHIRE**

None

**COOS**

Rappaport, Laurence

**GRAFTON**

None

**HILLSBOROUGH**

Boehm, Ralph  
Garcia, Michael  
Meaney, Richard  
Pratt, Calvin  
Warden, Mark

Burt, John  
Hikel, John  
Notter, Jeanine  
Sandblade, Emily

Daniels, Gary  
LeBrun, Donald  
O'Brien, William  
Vaillancourt, Steve

Gagne, Larry  
Martel, Andre  
Parison, James  
Villeneuve, Moe

**MERRIMACK**

Hoell, J.R.

McGuire, Dan

**ROCKINGHAM**

Baldasaro, Alfred  
Duarte, Joe  
Kolodziej, Walter  
Sedensky, John

Cali-Pitts, Jacqueline  
Hodgdon, Bruce  
Major, Norman  
Tremblay, Stella

Comerford, Timothy  
Introne, Robert  
Milz, David  
Tucker, Pamela

Danaïs, Romeo  
Itse, Daniel  
Schroadter, Adam

**STRAFFORD**

Beaudoin, Steven  
Mullen, John Jr

Bixby, Peter

Gray, James

Groen, Warren

**SULLIVAN**

None

and the committee report was adopted and ordered to third reading.  
Rep. Cali-Pitts voted Nay and intended to vote Yea.

**MOTION TO RECONSIDER**

Having voted with the prevailing side, Rep. Lambert moved that the House reconsider its action whereby, on a roll call vote of 229-46, it adopted the committee report of Ought to Pass on **SB 97**, relative to high school equivalency and relative to illiteracy.

Rep. Lambert spoke in favor and requested a roll call; sufficiently seconded.

## YEAS 50 NAYS 225

### YEAS 50 BELKNAP

Fink, Charles	Greemore, Robert Jr	Sylvia, Michael	Worsman, Colette
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### CARROLL

Cordelli, Glenn	Nelson, Bill	Ticehurst, Susan
-----------------	--------------	------------------

### CHESHIRE

None

### COOS

None

### GRAFTON

None

### HILLSBOROUGH

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Daniels, Gary	Garcia, Michael	Hikel, John	Lambert, George
LeBrun, Donald	Long, Patrick	Meaney, Richard	Murotake, David
Notter, Jeanine	O'Brien, William	Parison, James	Pratt, Calvin
Sandblade, Emily	Takesian, Charlene	Villeneuve, Moe	Warden, Mark

### MERRIMACK

Hoell, J.R.

### ROCKINGHAM

Baldasaro, Alfred	Cali-Pitts, Jacqueline	Comerford, Timothy	Danais, Romeo
DeSimone, Debra	Duarte, Joe	Emerick, J. Tracy	Harris, Jeffrey
Hodgdon, Bruce	Introne, Robert	Itse, Daniel	Kolodziej, Walter
Nigrello, Robert	Rice, Frederick	Schroadter, Adam	Tremblay, Stella
Tucker, Pamela			

### STRAFFORD

Beaudoin, Steven	Bickford, David	Bixby, Peter	Groen, Warren
Pitre, Joseph			

### SULLIVAN

None

## NAYS 225

### BELKNAP

Burchell, Richard	DiMartino, Lisa	Fields, Dennis	Flanders, Donald
Gulick, Ruth	Holmes, Stephen	Huot, David	Raymond, Ian
Tilton, Franklin	Vadney, Herbert		

### CARROLL

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Crawford, Karel	McConkey, Mark	Morrow, Harry	Schmidt, Stephen
Umberger, Karen	White, Syndi	Wright, Donald	

### CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Emerson, Susan	Hunt, John	Johnsen, Gladys	Johnson, Jane
Ley, Douglas	Parkhurst, Henry	Sad, Tara	Tatro, Bruce
Weber, Lucy	Weed, Charles		

**COOS**

Enman, Larry  
Rappaport, Laurence

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Theberge, Robert

Moynihan, Wayne

**GRAFTON**

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy

Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr

Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Beaulieu, Jane  
Christiansen, Lars  
Culbert, Patrick  
Gage, Ruth  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Knowles, Mary Ann  
LeVasseur, Richard  
Martel, Andre  
Nelson, Mary  
Porter, Marjorie  
Shattuck, Gilman  
Sullivan, Peter  
Willette, Robert

Byron, Frank  
Coffey, James  
Danielson, David  
Gagne, Larry  
Grady, Brenda  
Hansberry, Daniel  
Jasper, Shawn  
Kopka, Angeline  
Levesque, Melanie  
McCarthy, Michael  
O'Brien, Michael Sr  
Rowe, Robert  
Shaw, Barbara  
Vail, Suzanne  
Williams, Kermit

Campbell, David  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Graham, John  
Harriott-Gathright, Linda  
Judy, Jean  
Kurk, Neal  
MacKay, Mariellen  
McCloskey, David  
Palmer, Stephen  
Sanborn, Laurie  
Spratt, Stephen  
Vaillancourt, Steve  
Winters, Joel

Carroll, Douglas  
Cote, David  
Eaton, Richard  
Gargas, Carolyn  
Hackel, Paul  
Heden, Ruth  
Kelley, John  
Leishman, Peter  
Manley, Jonathan Sr  
McNamara, Richard  
Pellegrino, Tony  
Schmidt, Janice  
Straight, Philip  
Walsh, Robert Jr  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Carson, Clyde  
Gile, Mary  
Lockwood, Priscilla  
Moffett, Howard  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Bartlett, Christy  
Davis, Frank  
Hirsch, Geoffrey  
MacKay, James  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy

Bouchard, Candace  
Frambach, Mary  
Hunt, Jane  
McGuire, Carol  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Burns, Scott  
French, Barbara  
Karrick, David Jr  
McGuire, Dan  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

**ROCKINGHAM**

Abrami, Patrick  
Briden, Steven  
Copeland, Timothy  
Flockhart, Eileen  
Hoelzel, Kathleen  
Mann, Maureen  
O'Connor, John  
Priestley, Anne  
Sherman, Thomas  
Till, Mary  
Weyler, Kenneth

Allen, Mary  
Burtis, Elizabeth  
Cushing, Robert Jr  
Griffin, Mary  
Kappler, Lawrence  
Milz, David  
Packard, Sherman  
Scarlott, Joe  
St.James, Kevin  
Ward, Gerald  
Whittemore, Lisa

Bick, Patrick  
Cahill, Michael  
Dumaine, Dudley  
Hagan, Joseph  
Lovejoy, Patricia  
Moody, Marcia  
Pantelakos, Laura  
Schlachman, Donna  
Sweeney, Joe  
Waterhouse, Kevin

Borden, David  
Chirichiello, Brian  
Emerson-Brown, Rebecca  
Heffron, Frank  
Major, Norman  
Muns, Chris  
Peckham, Michele  
Sedensky, John  
Sytek, John  
Webb, James Sr

**STRAFFORD**

Baber, William  
Grassie, Anne  
Jones, Laura  
Pelletier, Marsha  
Schmidt, Peter  
Verschuere, James

Burdwood, Greg  
Gray, James  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Burke, Rachel  
Grossman, Kenneth  
Malloy, Dennis  
Rogers, Rose Marie  
Spang, Judith

Ginsburg, Philip  
Horrigan, Timothy  
Mullen, John Jr  
Rollo, Deanna  
Stevens, Audrey

## SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda  
and the motion failed.

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

Grenier, James  
Sweeney, Cynthia

## RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns today it be to meet Wednesday, June 26, 2013 at 10:00 a.m.

Adopted.

## LATE SESSION

## Third reading and final passage

**SB 173**, relative to criminal background checks for individuals volunteering or applying for employment at licensed child care facilities.

**SB 76**, relative to disqualification of candidates.

**SB 112**, requiring constitutional amendment concurrent resolutions to contain the language for the voter's guide.

**SB 44**, relative to the disposal of controlled drugs by law enforcement officers.

**SB 90**, establishing a committee to study developing a policy for veteran preference for government hiring.

**SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation.

**SB 124-FN**, establishing an integrated land development permit.

**SB 162-FN**, repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds, and relative to the membership of the higher education commission.

**SB 184-FN**, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services.

**SB 192-FN-L**, establishing a committee to study the establishment of a state infrastructure bank.

**SB 19-FN**, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack.

**SB 98**, authorizing group net metering for limited electrical energy procedures and establishing a committee to study reimbursement rates for excess electricity generated by customer-generator groups.

**SB 99-FN**, requiring the site evaluation committee to direct a study of site evaluation criteria and establishing a committee to study the criteria for siting of wind powered electric generating facilities, other electric generating facilities, and transmission facilities.

**SB 191-FN-A**, establishing a state energy strategy.

**SB 14**, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development.

**SB 75**, relative to games of chance.

**SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags.

**SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate.

**SB 41**, revising the New Hampshire business corporations act, RSA 293-A.

**SB 198**, relative to the authority of county correctional officers.

**SB 27-FN**, relative to monitoring by the department of education of programs for children with disabilities.

**SB 48**, relative to school performance and accountability.

**SB 135-FN**, relative to the regulation of the practice of genetic counseling.

**SB 129-FN**, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need.

**SB 146-FN-L**, relative to aid to the permanently and totally disabled and old age assistance.



**SB 123-FN-L**, relative to the use of proceeds from the regional greenhouse gas initiative program.

**SB 148-FN**, relative to electric renewable portfolio standards.

**SB 189-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board.

**SB 97**, relative to high school equivalency and relative to illiteracy.

### SENATE MESSAGE

#### ACCEDES TO REQUESTS FOR COMMITTEE OF CONFERENCE

**HB 142**, relative to teacher evaluation systems.

The President appointed Sens. Stiles, Reagan and Kelly.

**HB 242**, relative to child passenger restraint requirements.

The President appointed Sens. Rausch, Boutin and Gilmour.

### UNANIMOUS CONSENT

Reps. Schuett and Katherine Rogers addressed the House.

### MOTION TO PRINT REMARKS

Rep. Vaillancourt moved that the remarks made by Rep. Katherine Rogers be printed in the Permanent Journal.

Adopted.

### REMARKS

**Rep. Katherine Rogers:** Thank you, Madam Speaker. Forty-five years ago today, Senator Robert Kennedy was taken from us by an assassin's bullet. As a young girl, I watched in horror as the person that sparked my love of politics and government died. I couldn't understand then and still, today, I don't understand and struggle with why a person such as that, so committed to improving the world, was killed. I made a decision that day as a young girl that I would work towards the ideals that Robert Kennedy stood and fought for. Senator Kennedy spoke and fought for so many who were unable to speak for themselves, children in poverty, immigrant workers, minorities and all people who love freedom and justice. Robert Kennedy once said, "Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance." Let us all work together to build that current and knock down those walls. Rest in peace, Senator Kennedy. Your memory will never die. Thank you.

### PERSONAL PRIVILEGE

Rep. William O'Brien addressed the House.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages, enrolled bill amendments, enrolled bill reports and forming Committees of Conference.

Adopted.

The House recessed at 6:55 p.m.

### RECESS

(Rep. Rosenwald in the Chair)

### SENATE MESSAGE

#### CONCURRENCE WITH AMENDMENT

**SB 187**, posthumously emancipating enslaved Africans in New Hampshire.

### ENROLLED BILL AMENDMENT

**SB 187**, posthumously emancipating enslaved Africans in New Hampshire. (Amendment printed SJ 6-6-13)

Adopted.

**CONFEREE CHANGE**

**HB 142**, relative to teacher evaluation systems.  
Rep. Gile replaced Rep. Myler.

**RECESS**

**(Rep. Campbell in the Chair)**

**ENROLLED BILL AMENDMENTS**

**HB 361**, relative to worksharing.

**Amendment (1969-EBA)**

Amend RSA 282-A:31-b, I(f) as inserted by section 1 of the bill by replacing line 6 with the following:  
*why it is not feasible.*  
Adopted.

**HB 433**, relative to procedures for juvenile delinquency petitions filed by a school district or school official.

**Amendment (1968-EBA)**

Amend RSA 169-B:6, III as inserted by section 2 of the bill by replacing line 2 with the following:  
official, including a school resource officer assigned to a school district pursuant to a contract  
Amend RSA 169-B:6, IV as inserted by section 2 of the bill by replacing line 1 with the following:

IV. When a school official, including a school resource officer assigned to a school district  
Amend RSA 169-B:6, IV as inserted by section 2 of the bill by replacing line 5 with the following:  
child's initial appearance, the legally liable school district shall provide assurance that prior to its  
Adopted.

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 138, 185, 187, 196, 204, 254, 262, 304, 313, 352, 400, 401, 411, 453, 505, 507, 513, 554, 581, 636 and 655 and Senate Bills numbered 67, 133 and 165.

Rep. Shurtleff, Sen. Carson for the Committee

**SENATE MESSAGES****ACCEDES TO REQUEST FOR COMMITTEE OF CONFERENCE**

**HB 353**, relative to the regulation of private investigators and security guards.

The President appointed Sens. Reagan, Carson and Soucy.

**HB 635**, establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas.

The President appointed Sens. Rausch, Boutin and Gilmour.

**CONCURRENCE**

**HB 477**, relative to differential pay for certain state employees providing direct care to inmates and patients.

**NONCONCURRENCE**

**HB 668**, relative to group and individual health insurance market rules.

**RE-REFERRED TO COMMITTEE**

**HB 426**, relative to payment of costs and fees in guardianship cases.

**CONCURRENCE WITH AMENDMENTS**

**SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts.

**SB 20**, making modifications to the DWI ignition interlock program.

**SB 33**, making technical changes to the judicial retirement plan.

**SB 42**, relative to applications for licensure by the real estate appraisers board.

**SB 49**, relative to appeals of planning board decisions.

**SB 54**, relative to appeals from the department of administrative services bureau of public works design and construction.

**SB 85**, relative to commercial motor vehicle operation.

**SB 89**, relative to the definition of lead fishing sinkers and jigs and the penalties for prohibited sales of lead fishing sinkers and jigs.

**SB 94**, relative to portable electronics insurance.

**SB 96**, relative to vexatious litigants.

**SB 101**, relative to collocation and modification of personal wireless services facilities.

**SB 159**, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations and relative to drivers' license renewals of members of the armed forces and federal employees and their spouses.

**SB 160-FN-A**, relative to turnpikes and electronic toll collection.

**SB 163**, establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards.

**SB 164**, authorizing coastal management provisions in master plans.

**SB 185**, establishing a commission on housing policy and regulation.

**SB 197**, relative to the inclusion of a default budget in separate warrant articles submitted by sewer and water commissions.

### NONCONCURRENCE WITH AMENDMENT

**SB 129-FN**, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need.

### RECESS

(Rep. Friedrich in the Chair)

### SENATE MESSAGES

### REQUESTS CONCURRENCE WITH AMENDMENTS

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Wallner, Rosenwald, Daniel Eaton, Almy and Kurk.  
Alternates: Reps. Benn, Buco, Lovejoy and Weyler.

**HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Wallner, Rosenwald, Daniel Eaton, Almy and Kurk.  
Alternates: Reps. Leishman, Ford, Nordgren and Major.

**HB 25-FN-A**, making appropriations for capital improvements. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.

Adopted.

The Speaker appointed Reps. Campbell, Cloutier, Irwin, Chandler and Graham.

**HB 357**, prohibiting an employer from using credit history in employment decisions. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Andrew White, Weed, Ley and Cahill.

**HB 414**, relative to privacy in the workplace. (Amendment printed SJ 6-6-13)

Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference. Adopted.

The Speaker appointed Reps. Andrew White, Sally Kelly, Jan Schmidt and Andrews.

### NONCONCURS WITH AMENDMENT

### REQUESTS COMMITTEE OF CONFERENCE

**SB 157-FN**, establishing a New Hampshire disaster relief fund.

The President appointed Sens. Bragdon, Forrester and Larsen.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Ford, Buco, Daniel Eaton and Cebrowski.

**ENROLLED BILL AMENDMENT**

**SB 126-FN**, relative to business practices between motor vehicle manufacturers, distributors, and dealers. (Amendment printed SJ 6-6-13)  
Adopted.

**RECESS**

**(Rep. Muns in the Chair)**

**SENATE MESSAGES****REQUESTS CONCURRENCE WITH AMENDMENTS**

**HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Weber, Gagnon, Daniel Sullivan and Schuett.

**HB 220**, relative to the New Hampshire medal of honor. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Theberge, Massimilla, McCloskey and Notter.

**HB 224**, relative to the authority of the superintendent of a county correctional facility. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Cushing, Charron, Grady and Gagne.

**HB 233**, relative to the care of the war memorial in Franconia Notch state park. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Chandley, Theberge, Parkhurst and Shurtleff.

**HB 260-FN**, relative to the children in need of services (CHINS) program. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Walz, Long, Gargas and Katherine Rogers.

**HB 295-FN**, requiring criminal background checks for volunteers and employees at youth skill camps. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Suzanne Smith, Aguiar, Ahlgren and Gottling.

**HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purpose of the veterans' tax credit. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Theberge, Cynthia Sweeney, Carey and Priestley.

**HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Campbell, Theberge, Massimilla and Graham.

**HB 542**, relative to electric renewable portfolio standards. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Kaen, Nickolas Levasseur, Cali-Pitts and Introne.

**HB 594-FN**, relative to the general consumer credit laws of the state. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Butler, John Hunt, Goley and Muns.

**HB 664-FN**, relative to the New Hampshire vaccine association. (Amendment printed SJ 6-6-13)  
Rep. Shurtleff moved that the House nonconcur and request a Committee of Conference.  
Adopted.

The Speaker appointed Reps. Butler, Kermit Williams, Harding and Cote.

## SENATE MESSAGES

### ACCEDES TO REQUEST FOR COMMITTEE OF CONFERENCE

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015.

The President appointed Sens. Morse, Odell, Forrester and D'Allesandro.

**HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures.

The President appointed Sens. Morse, Odell, Forrester and D'Allesandro.

**HB 25-FN-A**, making appropriations for capital improvements.

The President appointed Sens. Boutin, Rausch and Larsen.

**HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system.

The President appointed Sens. Bradley, Carson and Soucy.

**HB 183**, relative to processing absentee ballots.

The President appointed Sens. Boutin, Stiles and Lasky.

**HB 220**, relative to the New Hampshire medal of honor.

The President appointed Sens. Forrester, Bragdon and Lasky.

**HB 224**, relative to the authority of the superintendent of a county correctional facility.

The President appointed Sens. Boutin, Carson and Lasky.

**HB 233**, relative to the care of the war memorial in Franconia Notch state park.

The President appointed Sens. Bradley, Forrester and Woodburn.

**HB 252-FN**, consolidating the property appraisal division and the municipal services division of the department of revenue administration.

The President appointed Sens. Reagan, Carson and Watters.

**HB 253**, relative to limitations on sales by nano breweries for consumption on the premises.

The President appointed Sens. Sanborn, Bradley and Hosmer.

**HB 260-FN**, relative to the children in need of services (CHINS) program.

The President appointed Sens. Stiles, Odell and Kelly.

**HB 265**, relative to procedures by absentee voters.

The President appointed Sens. Stiles, Boutin and Lasky.

**HB 295-FN**, requiring criminal background checks for volunteers and employees at youth skill camps.

The President appointed Sens. Stiles, Reagan and Kelly.

**HB 314**, raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance.

The President appointed Sens. Odell, Rausch and Hosmer.

**HB 357**, prohibiting an employer from using credit history in employment decisions.

The President appointed Sens. Bradley, Sanborn and Hosmer.

**HB 385**, relative to licensure of, and the performance of electrical work by elevator and accessibility lift mechanics.

The President appointed Sens. Cataldo, Reagan and Watters.

**HB 414**, relative to privacy in the workplace.

The President appointed Sens. Bragdon, Cataldo and Pierce.

**HB 442**, prohibiting residency restrictions for registered sex offenders and offenders against children.

The President appointed Sens. Carson, Boutin and Soucy.

**HB 472**, relative to residential units in rooming houses.

The President appointed Sens. Bradley, Cataldo and Hosmer.

**HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit.

The President appointed Sens. Forrester, Bragdon and Lasky.

**HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit.

The President appointed Sens. Rausch, Boutin and Pierce.

**HB 542**, relative to electric renewable portfolio standards.

The President appointed Sens. Odell, Bradley and Fuller Clark.

**HB 546**, relative to medical examinations under workers' compensation.

The President appointed Sens. Sanborn, Cataldo and Soucy.

**HB 573-FN**, relative to the use of cannabis for therapeutic purposes.

The President appointed Sens. Stiles, Reagan and Gilmour.

**HB 594-FN**, relative to the general consumer credit laws of the state.

The President appointed Sens. Cataldo, Stiles and Pierce.

**HB 595-FN**, relative to photo identification of voters.

The President appointed Sens. Boutin, Forrester and Pierce.

**HB 599-FN**, relative to establishing a single liquor commissioner.

The President appointed Sens. Carson, Reagan and Soucy.

**HB 664-FN**, relative to the New Hampshire vaccine association.

The President appointed Sens. Bradley, Forrester and Pierce.

## RECESS

**(Rep. Weber in the Chair)**

### SENATE MESSAGE

### NONCONCURS WITH AMENDMENT

### REQUESTS COMMITTEE OF CONFERENCE

**SB 188-FN**, relative to municipally-owned utilities.

The President appointed Sens. Rausch, Boutin and Gilmour.

Rep. Chandley moved that the House accede.

Adopted.

The Speaker appointed Reps. Campbell, Maureen Mann, Ebel and Graham.

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 155, 163 and 511 and Senate Bills numbered 31, 43, 68, 71, 108, 143, 187 and 192.

Rep. Shurtleff, Sen. Prescott for the Committee

## RECESS

**(Rep. Davis in the Chair)**

### SENATE MESSAGE

### NONCONCURS WITH AMENDMENTS

### REQUESTS COMMITTEE OF CONFERENCE

**SB 75**, relative to games of chance.

The President appointed Sens. Odell, Rausch and Hosmer.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Lovejoy, John Kelley, Butynski and Sapareto.

**SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation.

The President appointed Sens. Bragdon, Odell and Watters.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Gary Richardson, Shurtleff, Lockwood and Grace.

**SB 135**, relative to the regulation of the practice of genetic counseling.

The President appointed Sens. Carson, Cataldo and Lasky.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Weber, Gagnon, Peter Schmidt and Mary Nelson.

**SB 189-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board.

The President appointed Sens. Carson, Cataldo and Watters.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Schuett, Weber, Sytek and Moffett.

### **CONFEREE CHANGES**

**HB 595**, relative to photo identification of voters.

Rep. Hoelzel replaced Rep. Cote.

**SB 188**, relative to municipally-owned utilities.

Rep. Ratzki replaced Rep. Ebel.

### **RECESS**

**(Rep. Weber in the Chair)**

### **SENATE MESSAGE**

### **NONCONCURS WITH AMENDMENT**

### **REQUESTS COMMITTEE OF CONFERENCE**

**SB 19-FN**, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack.

The President appointed Sens. Bragdon, Rausch and Larsen.

Rep. Davis moved that the House accede.

Adopted.

The Speaker appointed Reps. Campbell, Cloutier, Maureen Mann and Waterhouse.

### **RECESS**

**(Rep. Davis in the Chair)**

### **SENATE MESSAGE**

### **NONCONCURS WITH AMENDMENTS**

### **REQUESTS COMMITTEE OF CONFERENCE**

**SB 48**, relative to school performance and accountability.

The President appointed Sens. Stiles, Reagan and Kelly.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Ladd, Frazer, Shaw and Gile.

**SB 148-FN**, relative to electric renewable portfolio standards.

The President appointed Sens. Sanborn, Bradley and Pierce.

Rep. Shurtleff moved that the House accede.

Adopted.

The Speaker appointed Reps. Borden, Butler, Schlachman and Flanders.

### **CONFEREE CHANGES**

**HB 414**, relative to privacy in the workplace.

Rep. Ley replaced Rep. Sally Kelly.

## RECESS

(Rep. Cote in the Chair)

**ENROLLED BILL AMENDMENT**

**SB 126-FN**, relative to business practices between motor vehicle manufacturers, distributors, and dealers. (Amendment printed SJ 6-6-13)  
Adopted.

## RECESS

(Rep. Ratzki in the Chair)

**ENROLLED BILL AMENDMENTS**

**SB 11**, relative to water and sewer utility districts and water or sewer utility districts. (Amendment printed SJ 6-6-13)  
Adopted.

**SB 20**, making modifications to the DWI ignition interlock program. (Amendment printed SJ 6-6-13)  
Adopted.

**SB 54**, relative to appeals from the department of administrative services bureau of public works design and construction. (Amendment printed SJ 6-6-13)  
Adopted.

**SB 97**, relative to high school equivalency and relative to illiteracy. (Amendment printed SJ 6-6-13)  
Adopted.

## RECESS

(Rep. Shurtleff in the Chair)

**ENROLLED BILL AMENDMENT**

**HB 686**, relative to approval of liquor commission contracts.

**Amendment (2046-EBA)**

Amend RSA 176:18 as inserted by section 2 of the bill by replacing lines 1-2 with the following:

176:18 Contracts Entered into by the Liquor Commission. Contracts in excess of \$10,000 made or entered into by the liquor commission, including but not limited to contracts for warehousing,  
Adopted.

**CONFEREES CHANGE**

**HB 124**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system.  
Rep. Shurtleff replaced Rep. Gagnon.

**CONCURRENCE WITH AMENDMENTS**

**SB 17**, establishing a commission to study palliative care and associated quality of life initiatives.

**SB 27-FN**, relative to monitoring by the department of education of programs for children with disabilities and relative to the calculation of school building aid grants.

**SB 41**, revising the New Hampshire business corporations act, RSA 293-A.

**SB 44**, relative to the disposal of controlled drugs by law enforcement officers.

**SB 76**, relative to disqualification of candidates.

**SB 87**, relative to the patients' bill of rights.

**SB 90**, establishing a committee to study developing a policy for veteran preference for government hiring and extending the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury.

**SB 98**, authorizing group net metering for limited electrical energy procedures.

**SB 99-FN**, requiring a study of the site evaluation committee and process, and developing regulatory criteria for the siting of energy facilities.

**SB 112**, relative to voters' guides for proposed constitutional amendments.



**SB 123-FN-L**, relative to the use of proceeds from the regional greenhouse gas initiative program.

**SB 124-FN**, establishing an integrated land development permit.

**SB 134-FN**, relative to the division of higher education and the higher education commission.

**SB 138-FN**, relative to support for certain residents of nursing and assisted living facilities.

**SB 162-FN**, repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds.

**SB 179**, clarifying the definition of “renewable generation facility” for purposes of payments in lieu of property tax payments and allowing certain facilities that combust municipal waste for energy to make payments in lieu of property tax payments.

**SB 191-FN-A**, establishing a state energy strategy.

**SB 198**, relative to the authority of county correctional officers.

## RECESS

**(Rep. Shurtleff in the Chair)**

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 123, 137, 140, 225, 229, 246, 261, 269, 278, 283, 308, 342, 361, 403, 410, 433, 477, 481, 521, 526, 528, 575, 602, 630 and 634 and Senate Bills numbered 14, 33, 42, 47, 49, 85, 89, 96, 117, 146, 155, 159, 160, 163, 164, 184 and 197.

Rep. Shurtleff, Sen. Prescott for the Committee

## RECESS

**(Rep. Weber in the Chair)**

### ENROLLED BILL AMENDMENT

**SB 170**, relative to advance directives pertaining to life-sustaining treatment. (Amendment printed SJ 6-6-13)

Adopted.

## RECESS

**(Rep. Weber in the Chair)**

### ENROLLED BILL AMENDMENT

**SB 90**, establishing a committee to study developing a policy for veteran preference for government hiring and extending the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury. (Report printed SJ 6-26-13)

Adopted.

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bill numbered 686 and Senate Bills numbered 11, 20, 97, 99, 126 and 173.

Rep. Shurtleff, Sen. Bradley for the Committee

### CONFEREES CHANGES

**HB 224**, relative to the authority of the superintendent of a county correctional facility.

Rep. Shurtleff replaced Rep. Charron.

**HB 253**, relative to limitations on sales by nano breweries for consumption on the premises.

Rep. Shurtleff replaced Rep. Scarlotto.

**HB 385**, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

Rep. Weber replaced Rep. Beaudoin.

**SB 157-FN**, establishing a New Hampshire disaster relief fund.

Rep. Weyler replaced Rep. Cebrowski.

## RECESS

(Rep. Gary Richardson in the Chair)

## ENROLLED BILL AMENDMENT

**HB 231**, relative to reinsurance.**Amendment (2078-EBA)**

Amend RSA 405:46, II(a) as inserted by section 2 of the bill by replacing line 1 with the following:

(a) Is organized or, in the case of a U.S. office of a foreign banking organization, licensed,  
Amend the introductory paragraph of RSA 405:47, III(a) as inserted by section 3 of the bill by replacing line 2 with the following:

***insurer that is domiciled in, or, in the case of a U.S. branch of an alien assuming insurer, is***

Amend RSA 405:47, IV(d)(5) as inserted by section 3 of the bill by replacing line 1 with the following:

(5) Within 90 days after ***its*** financial statements are due to be filed with the group's

Amend RSA 405:47, IV-a(e)(3) as inserted by section 3 of the bill by replacing line 3 with the following:

***reinsurer for the purpose of securing obligations incurred under this paragraph, except***Amend RSA 405:47, IV-a(g) as inserted by section 3 of the bill by replacing line 4 with the following:  
***continue to comply with all applicable requirements of this paragraph, and the***

Amend RSA 405:47, VI as inserted by section 3 of the bill by replacing line 1 with the following:

VI. If the assuming insurer is not licensed ***[or]***, accredited, ***or certified*** to transact insurance

Amend RSA 405:49, I(a)(1) as inserted by section 6 of the bill by replacing line 1 with the following:

(1) The reinsurer waives its right to a hearing;

Adopted.

**HB 559**, relative to the general banking laws of the state and relative to electronic funds transfers.**Amendment (2082-EBA)**

Amend RSA 383:9-d, I as inserted by section 9 of the bill by replacing line 6 with the following:

examinations are required under RSA 383:9, the commissioner may for ***[highly-rated]*** institutions

Amend RSA 384:36 as inserted by section 11 of the bill by replacing line 6 with the following:

***Treasury, Financial Crimes Enforcement Network Regulations, (31 C.F.R. chapter X) as***

Adopted.

**HB 640**, relative to the standard valuation law.**Amendment (2096-EBA)**

Amend RSA 410:3, II(a) as inserted by section 1 of the bill by replacing line 5 with the following:

required of a foreign or alien company, the commissioner may accept a valuation made, or caused to

Amend the introductory paragraph of RSA 410:5 as inserted by section 1 of the bill by replacing line 9 with the following:

policies and contracts issued on or after April 7, 1943, shall be the commissioner's reserve valuation

Amend RSA 410:6, I(b) as inserted by section 1 of the bill by replacing line 6 with the following:

these contracts, or any modification of these tables approved by the commissioner, and 7 1/2 percent

Amend RSA 410:6, I(c) as inserted by section 1 of the bill by replacing lines 7 and 8 with the following:

these tables approved by the commissioner, and 5 1/2 percent interest for single premium deferred

annuity and pure endowment contracts and 4 1/2 percent interest for all other individual annuity

Amend RSA 410:6, I(e) as inserted by section 1 of the bill by replacing line 7 with the following:  
tables approved by the commissioner, and 7 1/2 percent interest.

Amend RSA 410:7, II(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) However, if the calendar year statutory valuation interest rate for life insurance

Amend RSA 410:7, II(b) as inserted by section 1 of the bill by replacing line 6 with the following:

calendar year. For purposes of applying this subparagraph, the calendar year statutory valuation

Amend RSA 410:7, III(c) as inserted by section 1 of the bill by replacing line 2 with the following:  
stated in subparagraph (b), shall be as specified in subparagraphs (c)(1), (2), and (3), according to the

Amend the introductory paragraph of RSA 410:13 as inserted by section 1 of the bill by replacing line 3 with the following:

determined by the insurance company based on its estimates of future experience, or in the case of Amend RSA 410:15, III as inserted by section 1 of the bill by replacing it with the following:

III. Unless a change in the valuation manual specifies a later effective date, changes to the valuation manual shall be effective on January 1 following the date when the change to the valuation manual has been adopted by the NAIC by an affirmative vote representing:

(a) At least 3/4 of the members of the NAIC voting, but not less than a majority of the total membership; and

(b) Members of the NAIC representing jurisdictions totaling greater than 75 percent of the direct premiums written as reported in the following annual statements most recently available prior to the vote in subparagraph III(a): life, accident and health annual statements, health annual statements, or fraternal annual statements.

Amend RSA 410:15, IV(a)(2) as inserted by section 1 of the bill by replacing line 1 with the following:

(2) The commissioner's annuity reserve valuation method for annuity contracts

Amend RSA 410:15, IV(b) as inserted by section 1 of the bill by replacing line 1 with the following:

(b) Which policies or contracts or types of policies or contracts are subject to the

Amend RSA 410:15, IV(c)(2) as inserted by section 1 of the bill by replacing line 1 with the following:

(2) Assumptions which shall be prescribed for risks over which the company does not have

Amend section 2 of the bill by replacing line 1 with the following:

2 New Section; Standard Nonforfeiture Law for Life Insurance; Definition. Amend RSA 409 by inserting after section 1 the following new section:

Amend section 3 of the bill by replacing line 1 with the following:

3 Standard Nonforfeiture Law for Life Insurance; Adjusted Premium After Later Dates. Amend RSA 409:5-b, VIII (f) and (g) to read as follows:

Amend RSA 409:5-b, VIII(f)(1) as inserted by section 3 of the bill by replacing line 2 with the following:

**Commissioner's Standard Ordinary Mortality Tables**, adopted after 1980 by the National

Amend RSA 409:5-b, VIII(f)(2) as inserted by section 3 of the bill by replacing lines 4 and 5 with the following:

**Commissioner's 1980 Standard Ordinary Mortality Table with or without Ten-Year Select Mortality Factors or for the Commissioner's 1980 Extended Term Insurance Table. If the**

Amend RSA 409:5-b, VIII(g)(2) as inserted by section 3 of the bill by replacing line 4 with the following:

**Commissioner's 1961 Standard Industrial Mortality Table or the Commissioner's 1961**

Amend section 4 of the bill by replacing line 1 with the following:

4 Standard Nonforfeiture Law for Life Insurance; Adjusted Premium After Later Dates. Amend RSA 409:5-b, IX to read as follows:

Adopted.

## RECESS

(Rep. Davis in the Chair)

## ENROLLED BILL AMENDMENTS

**SB 17**, establishing a commission to study palliative care and associated quality of life initiatives. (Amendment printed SJ 6-26-13)

Adopted.

**SB 185**, establishing a commission on housing policy and regulation. (Amendment printed SJ 6-26-13)

Adopted.

## RECESS

(Rep. Kaen in the Chair)

**ENROLLED BILL AMENDMENT**

**SB 41**, revising the New Hampshire business corporations act, RSA 293-A. (Amendment printed SJ 6-26-13)

Adopted.

## RECESS

(Rep. Jan Schmidt in the Chair)

**ENROLLED BILL AMENDMENTS**

**HB 413**, relative to property abandoned by tenants.

**Amendment (2101-EBA)**

Amend section 2 of the bill by replacing lines 2 and 3 with the following:

RSA 540-A:4, IX by inserting after subparagraph (d) the following new subparagraph:

(e) Landlord damages for any unlawful dispossession or lock-out of a tenant from the

Adopted.

**HB 588**, extending the instream flow pilot program for 2 years and establishing a commission to study opportunities and options to improve the sustainability of the fish and game department.

**Amendment (2038-EBA)**

Amend lines 2 through 4 of section 7 of the bill by replacing them with the following:

the Fish and Game Department. Amend RSA 206 by inserting after section 1 the following new section:

206:1-a Commission to Study Opportunities and Options to Improve the Sustainability of the

Amend line 1 of section 8 of the bill by replacing it with the following:

8 Repeal. RSA 206:1-a, relative to the commission to study opportunities to improve the

Adopted.

**SENATE MESSAGE****LAIID ON THE TABLE**

**HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force.

**HB 373**, establishing a right of discovery to a carrier's investigation of claims in workers' compensation cases.

**HB 559**, relative to the general banking laws of the state.

## RECESS

(Speaker Norelli in the Chair)

Rep. Kaen moved that the House adjourn.

Adopted.

**HOUSE JOURNAL No. 20**

Wednesday, June 26, 2013

The House assembled at 10:00 a.m.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by Guest Chaplain, Reverend Michael Leuchtenberger of the Universalist Unitarian Church of Concord.

Spirit of all we hold Holy. Holiness known by many names. Spirit of the life that forms us and connects us. We come together from different places and along varied paths, with values wide-ranging and diverse, and with experiences distinct and unique, yet we also come together shaped by our shared commitment to service, service of a good larger than our individual selves, larger than our self-interest, larger than the needs of this moment. As you begin your work today, may you remember the hopes that inspired you to serve, the compassion that grounded your hopes, and the humility so essential to compassion and public service. As you join your voices in deliberation and debate, may you open your hearts and minds to the voices of all people. May your hearts be open to the voices of those least able to speak for themselves, those who are easily overlooked, and those who are pushed to the margin by forces larger than themselves. In being together may we find gratitude for each other and the interdependence that makes our lives possible. All this we pray in the name of all we hold Holy, a Holiness known by many names. Amen.

Staff Sergeant Roger Shattuck, a 21-year veteran of the United States Army home on leave and the son of Representative Shattuck, led the Pledge of Allegiance.

The National Anthem was sung by Amelia Griffiths of Rye, New Hampshire.

**LEAVES OF ABSENCE**

Reps. Bishop, Friel, Hackel, Jane Hunt, Miller, Priestley and Young, the day, illness.

Reps. Danaïs, Dobson, Gidge, Jeudy, Thomas Katsiantonis, Lefebvre, Oligny, Peckham, Phillips and Thomas Walsh, the day, important business.

**INTRODUCTION OF GUESTS**

Sister Mary Seton, daughter of Rep. Cebrowski. Emily and Gabriel Laidlaw, sister-in-law and nephew of Rep. Lundgren. Ann Rowe, guest of Rep. Merrow. Teresa Hampton, guest of Rep. Thompson. Kathleen Demers and Emma Donnelly, sisters of Rep. Cormier. Christian Ames, nephew of Rep. Andrew White. Julie Lemire and Tara Roper, guests of Rep. Gorman. Denise Preston, Melissa, RJ and Riley Rieman, guests of Rep. Shurtleff. Sissi and Melissa Shattuck, wife and daughter-in-law of Rep. Shattuck. Martha and Gretchen Aguiar, and Henry and Beatrice Aguiar-Allred, wife, daughter and grandchildren of Rep. Aguiar. Carrie Griffiths, mother of the singer, guest of the House.

**COMMUNICATION**

Stella Tremblay  
Representative, 4<sup>th</sup> District Rockingham County  
Auburn, NH 03032

June 16, 2013

Terie Norelli  
Speaker, House of Representatives  
107 North Main Street  
Concord, New Hampshire 03301

This correspondence is to inform all members of the House of Representatives of my resignation. Certainly this announcement comes as a sigh of relief from leadership of both parties. However, this action is due to "Divine Providence" that has presented my family with an opportunity to leave the district in which I now reside... I hope that the elected members remember their Constitutional

oaths when carrying out their duties. I wish you all success in your undertakings, whatever they may be. To those that elected me, thank you for the opportunity to represent you.

With kindest regards,  
Stella Tremblay

## COMMUNICATION

June 19, 2013

Ms. Karen Wadsworth  
Clerk of the House of Representatives  
State House  
Concord, NH 03301

Dear Karen:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Sullivan District No. 4 (Claremont Ward-2)

Joe Osgood, r, Claremont (19 Whitcomb Lane) 03743

Sincerely,

William M. Gardner, Secretary of State

## COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS

### COMMITTEE OF CONFERENCE REPORT ON SB 35

Committee of Conference Report on SB 35, an act relative to the master jury list.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Cataldo, Dist. 6; Carson, Dist. 14; and Lasky, Dist. 13.

Conferees: Reps. Berch, Ches. 1; Woodbury, Hills. 5; Heffron, Rock. 18; and Rowe, Hills. 22.

Committee of Conference Report adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 48

Committee of Conference Report on SB 48, an act relative to school performance and accountability.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 193-H:1, IV as inserted by section 2 of the bill by replacing it with the following:

**IV. "Focus school" means a low performing school that accepts federal funds from Title I, Part A of the Elementary and Secondary Education Act, and that has the largest within-school gaps between the highest achieving subgroup or subgroups of students and the lowest-achieving subgroup or subgroups of students or, for a high school, has the largest within-school gaps in graduation rates.**

Amend RSA 193-H:1, V(a) as inserted by section 2 of the bill by replacing it with the following:

**(a) A school that accepts federal funds from Title I, Part A of the Elementary and Secondary Education Act, and that is among the lowest performing 5 percent of schools in the state based on the achievement of all students on the statewide assessment pursuant to RSA 193-C and which, when measuring the achievement of all students, has demonstrated a lack of progress on the statewide assessment over 3 years; or**

Amend RSA 193-H:1, VII as inserted by section 2 of the bill by replacing it with the following:

**VII. "Work-study practices" means those behaviors that enhance learning achievement and promote a positive work ethic such as, but not limited to, listening and following directions, accepting responsibility, staying on task, completing work accurately, managing time wisely, showing initiative, and being cooperative.**

Conferees: Sens. Stiles, Dist. 24; Reagan, Dist. 17; and Kelly, Dist. 10.

Conferees: Reps. Ladd, Graf. 4; Frazer, Merr. 13; Shaw, Hills. 16; and Gile, Merr. 27.

Rep. Gile spoke in favor.

Rep. Cordelli spoke against, yielded to questions and requested a roll call; sufficiently seconded.

## YEAS 205 NAYS 143

### YEAS 205 BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

### CARROLL

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
Umberger, Karen

Crawford, Karel  
White, Syndi

Lavender, Tom

### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

### COOS

Coulombe, Gary  
Moynihn, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

### GRAFTON

Aguiar, James  
Cooney, Mary  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Almy, Susan  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Heden, Ruth  
Kopka, Angeline  
MacKay, Mariellen  
O'Flaherty, Tim  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gargas, Carolyn  
Hammond, Jill  
Jack, Martin  
Leishman, Peter  
Manley, Jonathan Sr  
O'Neil, William  
Shattuck, Gilman  
Sullivan, Daniel  
Williams, Kermit

Boisvert, Ronald  
Chandley, Shannon  
Eaton, Richard  
Goley, Jeffrey  
Hansberry, Daniel  
Kelley, John  
Levesque, Melanie  
McCloskey, David  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Peter  
Woodbury, David

Brown, Pamela  
Connor, Evelyn  
Gagne, Larry  
Gorman, Mary  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Long, Patrick  
McNamara, Richard  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Hoelzel, Kathleen  
Moody, Marcia  
Schlachman, Donna  
Sytek, John  
Whittemore, Lisa

Andrews-Ahearn, E. Elaine  
Copeland, Timothy  
Hayes, Jack  
Khan, Aboul  
Muns, Chris  
Sherman, Thomas  
Till, Mary

Borden, David  
Cushing, Robert Jr  
Heffron, Frank  
Lovejoy, Patricia  
Nigrello, Robert  
St.James, Kevin  
Ward, Gerald

Cahill, Michael  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Mann, Maureen  
Pantelakos, Laura  
Sweeney, Joe  
Wazlaw, Brian

**STRAFFORD**

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Berube, Roger  
Ginsburg, Philip  
Horrigan, Timothy  
Menear, H. Robert III  
Rollo, Deanna  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie  
Verschuere, James

**SULLIVAN**

Cloutier, John  
O'Hearne, Andrew  
Tanner, Linda

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

Grenier, James  
Sweeney, Cynthia

**NAYS 143****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert

Comtois, Guy  
Flanders, Donald  
Tilton, Franklin

Cormier, Jane  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Holmes, Stephen  
Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
Nelson, Bill

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
Wright, Donald

Morrow, Harry

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Shackett, Jeffrey

Bradley, Lester

Doolan, Ralph Jr

Gionet, Edmond

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Graham, John  
Hinch, Richard  
Lambert, George  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Straight, Philip  
Villeneuve, Moe

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Haefner, Robert  
Infantine, William  
LeBrun, Donald  
Meaney, Richard  
Nelson, Mary  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Stroud, Kathleen  
Warden, Mark

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Hansen, Peter  
Jasper, Shawn  
Marston, Dick  
Murotake, David  
Notter, Jeanine  
Parison, James  
Renzullo, Andrew  
Soucy, Timothy  
Takesian, Charlene  
Willette, Robert

Burt, John  
Coffey, James  
Flanagan, Jack  
Hikel, John  
Kurk, Neal  
Martel, Andre  
Murphy, Keith  
O'Brien, William  
Pellegrino, Tony  
Rowe, Robert  
Souza, Kathleen  
Vaillancourt, Steve  
Winters, Joel



**MERRIMACK**

Hoell, J.R.  
Reed, Dennis

Kotowski, Frank  
Smith, Todd

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Allen, Mary  
Birdsell, Regina  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Introne, Robert  
Lundgren, David  
Milz, David  
Sanders, Elisabeth  
Sedensky, John  
Tucker, Pamela

Baldasaro, Alfred  
Charron, Gene  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Hagan, Joseph  
Itse, Daniel  
Major, Norman  
O'Connor, John  
Sapareto, Frank  
Tamburello, Daniel  
Waterhouse, Kevin

Belanger, Ronald  
Chirichiello, Brian  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
Packard, Sherman  
Scarlotta, Joe  
Tasker, Kyle  
Webb, James Sr

Bick, Patrick  
Comerford, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Kolodziej, Walter  
McMahon, Charles  
Rice, Frederick  
Schroadter, Adam  
Thompson, David  
Weyler, Kenneth

**STRAFFORD**

Bickford, David  
Mullen, John Jr

Gray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

**SULLIVAN**

Osgood, Joe

Rollins, Skip

and the Committee of Conference Report was adopted.

**COMMITTEE OF CONFERENCE REPORT ON SB 75**

Committee of Conference Report on SB 75, an act relative to games of chance.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after section 1 with the following:

2 New Subparagraph; Application; Game of Chance Facility. Amend RSA 287-D:2-c by inserting after subparagraph (g) the following new subparagraph:

(h) The application shall include a description of the licensed premises.

3 Pari-Mutuel Commission; Reference Changed. Amend RSA 287-D:3, II to read as follows:

II. All devices and equipment used to conduct said games of chance shall be subject to inspection by duly authorized law enforcement or **[pari-mutuel] racing and charitable gaming** officials.

4 Financial Report and Audit. Amend RSA 287-D:5, VI to read as follows:

VI. All financial records pertaining to the games of chance shall be maintained by the treasurer of the charitable organization or other duly authorized director, officer, or official of the charitable organization and shall be made available to the racing and charitable gaming commission, the attorney general or the chief of police of any city or town where games of chance are held upon request. The racing and charitable gaming commission may audit **[such financial records] review or inspect any and all financial records, books, documentation, and bank accounts in the name of the charitable organization that pertain to games of chance.**

5 Transfer to Special Fund. Amend RSA 287-D:3, IX-X to read as follows:

IX. In games where chips have no monetary value, 3 percent of all funds collected from players, less moneys used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer to be deposited into the **[general] special fund established in RSA 284:21-j.** Such payments shall be made **[within 5 business days of the game date on which the funds were collected.] once per month not later than the 5th day of the month for the funds collected in the previous month.**

X. In games where chips have monetary value, 10 percent of the rake or house winnings and other moneys collected by the game operator that are not paid out as prizes to players, less moneys

used by the racing and charitable gaming commission to fund authorized personnel expenses and related costs, shall be paid to the state treasurer for deposit into the ~~[general fund]~~ ***special fund established in RSA 284:21-j***. Such payments shall be made ~~[within 5 business days of the game date on which the funds were collected]~~ ***once per month not later than the 5th day of the month for the funds collected in the previous month.***

6 Transfer to Special Fund. Amend RSA 284:12-a, II to read as follows:

II. Investigation fees shall be collected by the commission and shall be continually appropriated to the commission and used by the commission to offset the costs of conducting background checks and monitoring of license applicants and licensees as required under this section, RSA 284:16, RSA 284:16-a, RSA 284:18-a, RSA 284:19, RSA 284:20, RSA 284:20-b, RSA 284:22, and RSA 284:22-a. Funds received hereunder and not expended for such investigations shall lapse to the ~~[general]~~ ***special fund established in RSA 284:21-j*** 2 years after receipt of such funds.

7 Transfer to Special Fund. Amend RSA 284:31 to read as follows:

284:31 Unclaimed Ticket Money. On or before January 31 of each year every person, association, or corporation conducting a race or race meet, whether live racing or simulcast racing, hereunder shall pay to the state treasurer all moneys collected during the previous year of pari-mutuel pool tickets and vouchers which have not been redeemed. The books or records of said person, association, or corporation, which clearly show the tickets entitled to reimbursement in any given race, live or simulcast, shall be forwarded to the commission. Such moneys shall become a part of the ~~[general funds of the state]~~ ***special fund established in RSA 284:21-j***. The state treasurer shall pay the amount due on any ticket or voucher to the holder thereof from funds not otherwise appropriated upon an order from the commission. Pari-mutuel tickets and vouchers which remain unclaimed after 11 months shall not be paid. Vouchers shall be remitted to the state treasurer on January 31 of the calendar year, 24 months after the year of the unclaimed voucher.

8 Transfer to Special Fund. Amend RSA 284:32-b, I to read as follows:

I. Every person, association or corporation required to submit an annual statement pursuant to RSA 284:15-b or an annual financial report pursuant to RSA 284:32-a who fails to submit such statement or report within the required time period shall be subject to a civil forfeiture of up to \$500 for each day of a continuing violation. Civil forfeitures shall be levied under this section by the state racing and charitable gaming commission, shall be collected by the attorney general, and shall be deposited in the ~~[general fund as unrestricted revenue]~~ ***special fund established in RSA 284:21-j***. Such civil penalty shall be in addition to and not a substitute for any other civil or criminal penalty provided by law, including RSA 284:21.

9 New Paragraph; Criminal Records Check. Amend RSA 287-D:8 by inserting after paragraph VI the following new paragraph:

VII. For purposes of a games of chance facility license, under RSA 287-D:2-d, each owner, partner, trustee or otherwise of the underlying property, or in the case of a corporation, each officer, director, or shareholder, or in the case of a limited liability company, each manager or member, shall comply with all of the requirements of RSA 287-D:8. This section shall not apply to publicly traded companies.

10 Repeal. RSA 287-D:2-b, II-a, relative to reimbursement of game operator's out-of-pocket expenses, is repealed.

11 Effective Date. This act shall take effect 120 days after its passage.

Conferees: Sens. Odell, Dist. 8; Rausch, Dist. 19; and Hosmer, Dist. 7.

Conferees: Reps. Lovejoy, Rock. 36; John Kelley, Hills. 32; Butynski, Ches. 1; and Sapareto, Rock. 6. Committee of Conference Report adopted.

## COMMITTEE OF CONFERENCE REPORT ON SB 119-FN-A

Committee of Conference Report on SB 119-FN-A, an act directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 2 with the following:

2 Portrait of Suffragist Marilla Marks Ricker. In recognition of Marilla Marks Ricker's accomplishments as an early suffragist and the first woman in New Hampshire history to file for the office of governor, the joint legislative historical committee may acquire a portrait of Marilla Marks Ricker upon the approval of the joint committee on legislative facilities to hang a portrait in a place of honor in the state house complex.

Conferees: Sens. Bragdon, Dist. 11; Odell, Dist. 8; and Watters, Dist. 4.

Conferees: Reps. Gary Richardson, Merr. 10; Shurtleff, Merr. 11; Lockwood, Merr. 9; and Grace, Rock. 11.

Committee of Conference Report adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 135-FN

Committee of Conference Report on SB 135-FN, an act relative to the regulation of the practice of genetic counseling.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 7 with the following:

7 Genetic Testing; Disclosure; Medical Practice or Hospital. Amend RSA 141-H:2, III to read as follows:

III. Except as provided in paragraph II, or authorized by RSA 141-J, no person shall disclose to any other person that an individual has undergone genetic testing, and no person shall disclose the results of such testing to any other person, without the prior written and informed consent of the individual, the parent, guardian, or custodian if the individual is a minor under the age of 18, or the legal guardian or conservator if the individual is an incompetent person. ~~[Discussion and disclosure of genetic testing for a patient, requested of a physician by a patient, by appropriate professionals within a physician's medical practice or hospital shall not be a violation of this chapter.]~~

*IV. Nothing in this section shall be construed to regulate or apply to genetic testing or genetic analysis used for diagnosis and treatment of a patient by a clinical laboratory that has received a specimen referral from the individual patient's treating physician, genetic counselor, or another clinical laboratory. Nothing in this section shall be construed so as to waive the requirement that the treating physician obtain specific informed consent in accordance with the provisions of this section.*

Conferees: Sens. Carson, Dist. 14; Cataldo, Dist. 6; and Lasky, Dist. 13.

Conferees: Reps. Weber, Ches. 1; Gagnon, Sull. 5; Peter Schmidt, Straf. 19; and Mary Nelson, Hills. 35.

Committee of Conference Report adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 148-FN

Committee of Conference Report on SB 148-FN, an act relative to electric renewable portfolio standards.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after section 4 with the following:

5 Premium Rates. RSA 420-G:4, I(d) is repealed and reenacted to read as follows:

(d) In establishing the premium charged, health carriers providing coverage to individuals and small employers shall calculate a rate that is derived from the health coverage plan rate through the application of rating factors that the carrier chooses to utilize consistent with 42 U.S.C. section 300gg and any regulations adopted thereunder, except that the state shall constitute a single geographic rating area. Nothing in this subparagraph shall be construed to expand the authority of the commissioner to adopt rules pursuant to RSA 541-A.

6 Repeal. RSA 420-G:4, I(e), relative to plan rate adjustments, is repealed.

7 Effective Date.

I. Sections 5 and 6 of this act shall take effect January 1, 2014.

II. The remainder of this act shall take effect upon its passage

Conferees: Sens. Odell, Dist. 8; Bragdon, Dist. 11; and Pierce, Dist. 5.

Conferees: Reps. Borden, Rock. 24; Butler, Carr. 7; Schlachman, Rock. 18; and Flanders, Belk. 3.

Rep. Borden spoke in favor.

Rep. Carol McGuire requested a roll call; sufficiently seconded.

## YEAS 225 NAYS 128

### YEAS 225

#### BELKNAP

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Raymond, Ian

Flanders, Donald

Gulick, Ruth

#### CARROLL

Buco, Thomas  
Merrow, Harry  
White, Syndi

Butler, Edward  
Schmidt, Stephen

Chandler, Gene  
Ticehurst, Susan

Lavender, Tom  
Umberger, Karen

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

Berch, Paul  
Eaton, Daniel  
Lerandeau, Alfred  
Roberts, Kris  
Tatro, Bruce

Burridge, Delmar  
Emerson, Susan  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Hunt, John  
Mann, John  
Sad, Tara  
Weed, Charles

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

#### GRAFTON

Aguir, James  
Brown, Rebecca  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Bailey, Brad  
Doolan, Ralph Jr  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

Benn, Bernard  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

#### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Coffey, James  
DiSilvestro, Linda  
Gargas, Carolyn  
Haefner, Robert  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Martel, Andre  
O'Neil, William  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

Beaulieu, Jane  
Campbell, David  
Connor, Evelyn  
Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
Porter, Marjorie  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Belanger, James  
Carroll, Douglas  
Cote, David  
Gagne, Larry  
Gorman, Mary  
Hansberry, Daniel  
Jasper, Shawn  
Kurk, Neal  
MacKay, Mariellen  
McNamara, Richard  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

Boisvert, Ronald  
Chandlee, Shannon  
Danielson, David  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Kelley, John  
Leishman, Peter  
Manley, Jonathan Sr  
Nelson, Mary  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

#### MERRIMACK

Alicea, Caroletta  
Burns, Scott

Andrews, Christopher  
Carey, Lorrie

Bartlett, Christy  
Carson, Clyde

Bouchard, Candace  
Davis, Frank

Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 MacKay, James  
 Ratzki, Mario  
 Schamberg, Thomas  
 Turcotte, Alan  
 Webb, Leigh

Frambach, Mary  
 Henle, Paul  
 Kelly, Sally  
 Moffett, Howard  
 Rice, Chip  
 Schuett, Dianne  
 Wallner, Mary Jane

Frazer, June  
 Hess, David  
 Kidder, David  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Walz, Mary Beth

French, Barbara  
 Hirsch, Geoffrey  
 Lockwood, Priscilla  
 Patten, Dick  
 Rogers, Katherine  
 Tilton, Joy  
 Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
 Charron, Gene  
 Devine, James  
 Hayes, Jack  
 Lovejoy, Patricia  
 Muns, Chris  
 Scarlotto, Joe  
 Till, Mary

Borden, David  
 Chirichiello, Brian  
 Emerson-Brown, Rebecca  
 Heffron, Frank  
 Mann, Maureen  
 Nigrello, Robert  
 Schlachman, Donna  
 Ward, Gerald

Cahill, Michael  
 Copeland, Timothy  
 Fesh, Robert  
 Helmstetter, Barbara  
 McMahon, Charles  
 O'Connor, John  
 Sherman, Thomas  
 Wazlaw, Brian

Cali-Pitts, Jacqueline  
 Cushing, Robert Jr  
 Flockhart, Eileen  
 Hoelzel, Kathleen  
 Moody, Marcia  
 Pantelakos, Laura  
 Thompson, David  
 Whittemore, Lisa

### STRAFFORD

Barber, William  
 Burdwood, Greg  
 Grossman, Kenneth  
 Kaen, Naida  
 Pelletier, Marsha  
 Schmidt, Peter  
 Stevens, Audrey

Berube, Roger  
 Burke, Rachel  
 Hooper, Dorothea  
 Ketel, Stephen  
 Perry, Robert  
 Smith, Marjorie  
 Verschueren, James

Bickford, David  
 Ginsburg, Phillip  
 Horrigan, Timothy  
 Malloy, Dennis  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Bixby, Peter  
 Grassie, Anne  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Rollo, Deanna  
 Spang, Judith

### SULLIVAN

Cloutier, John  
 O'Hearne, Andrew  
 Tanner, Linda

Gagnon, Raymond  
 Osgood, Joe

Gottling, Suzanne  
 Schmidt, Andrew

Grenier, James  
 Sweeney, Cynthia

### NAYS 128

### BELKNAP

Burchell, Richard  
 Fink, Charles  
 Tilton, Franklin

Comtois, Guy  
 Greemore, Robert Jr  
 Vadney, Herbert

Cormier, Jane  
 Holmes, Stephen  
 Worsman, Colette

Fields, Dennis  
 Luther, Robert

### CARROLL

Ahlgren, Christopher  
 Wright, Donald

Cordelli, Glenn

Crawford, Karel

Nelson, Bill

### CHESHIRE

Johnson, Jane

### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

### GRAFTON

Bradley, Lester  
 Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

Reilly, Harold Sr

### HILLSBOROUGH

Barry, Richard  
 Cebrowski, John  
 Flanagan, Jack

Boehm, Ralph  
 Christiansen, Lars  
 Graham, John

Burt, John  
 Culbert, Patrick  
 Hansen, Peter

Byron, Frank  
 Daniels, Gary  
 Hikel, John

Hinch, Richard  
 LeBrun, Donald  
 Meaney, Richard  
 Notter, Jeanine  
 Palmer, Stephen  
 Pratt, Calvin  
 Souza, Kathleen  
 Ulery, Jordan  
 Willette, Robert

Hopper, Gary  
 LeVasseur, Richard  
 Murotake, David  
 O'Brien, William  
 Parison, James  
 Renzullo, Andrew  
 Straight, Phillip  
 Vaillancourt, Steve

Infantine, William  
 Marston, Dick  
 Murphy, Keith  
 O'Flaherty, Tim  
 Pellegrino, Tony  
 Sanborn, Laurie  
 Stroud, Kathleen  
 Villeneuve, Moe

Lambert, George  
 McCarthy, Michael  
 Murphy, Kelleigh  
 Ober, Russell III  
 Peterson, Lenette  
 Sandblade, Emily  
 Takesian, Charlene  
 Warden, Mark

### MERRIMACK

Hoell, J.R.  
 Reed, Dennis

Kotowski, Frank  
 Smith, Todd

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
 Bick, Patrick  
 Duarte, Joe  
 Ferrante, Beverly  
 Grace, Curtis  
 Hodgdon, Bruce  
 Khan, Aboul  
 McKinney, Betsy  
 Sanders, Elisabeth  
 St.James, Kevin  
 Tasker, Kyle  
 Weyler, Kenneth

Allen, Mary  
 Birdsell, Regina  
 Dumaine, Dudley  
 Garcia, Bianca  
 Griffin, Mary  
 Introne, Robert  
 Kolodziej, Walter  
 Milz, David  
 Sapareto, Frank  
 Sweeney, Joe  
 Tucker, Pamela

Baldasaro, Alfred  
 Comerford, Timothy  
 Elliott, Robert  
 Garcia, Marilinda  
 Hagan, Joseph  
 Itse, Daniel  
 Lundgren, David  
 Packard, Sherman  
 Schroadter, Adam  
 Sytek, John  
 Waterhouse, Kevin

Belanger, Ronald  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Gordon, Richard  
 Harris, Jeffrey  
 Kappler, Lawrence  
 Major, Norman  
 Rice, Frederick  
 Sedensky, John  
 Tamburello, Daniel  
 Webb, James Sr

### STRAFFORD

Gray, James  
 Pitre, Joseph

Groen, Warren

Jones, Laura

Mullen, John Jr

### SULLIVAN

Rollins, Skip  
 and the Committee of Conference Report was adopted.

Smith, Steven

### MOTION TO RECONSIDER

Having voted with the prevailing side, Rep. Lambert moved that the House reconsider its action whereby, on a voice vote, the House adopted the Committee of Conference Report on **SB 135-FN**, relative to the regulation of the practice of genetic counseling.

Rep. Lambert spoke in favor.

Rep. Weber spoke against.

Rep. Tamburello requested a roll call; sufficiently seconded.

**YEAS 108 NAYS 247**

### YEAS 108

### BELKNAP

Burchell, Richard  
 Fink, Charles  
 Vadney, Herbert

Comtois, Guy  
 Greemore, Robert Jr  
 Worsman, Colette

Cormier, Jane  
 Holmes, Stephen

Fields, Dennis  
 Tilton, Franklin

### CARROLL

Ahlgren, Christopher  
 Nelson, Bill

Chandler, Gene  
 Schmidt, Stephen

Cordelli, Glenn  
 Ticehurst, Susan

Lavender, Tom  
 Wright, Donald

### CHESHIRE

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad

Gionet, Edmond

**HILLSBOROUGH**

Boehm, Ralph  
Christiansen, Lars  
Hansen, Peter  
Infantine, William  
Meaney, Richard  
O'Brien, William  
Parison, James  
Sanborn, Laurie  
Straight, Philip  
Villeneuve, Moe

Burt, John  
Daniels, Gary  
Hikel, John  
Lambert, George  
Murotake, David  
O'Flaherty, Tim  
Pellegrino, Tony  
Sandblade, Emily  
Stroud, Kathleen  
Warden, Mark

Byron, Frank  
Flanagan, Jack  
Hinch, Richard  
LeBrun, Donald  
Murphy, Keith  
Ober, Russell III  
Peterson, Lenette  
Shaw, Barbara  
Takesian, Charlene  
Willette, Robert

Cebrowski, John  
Garcia, Michael  
Hopper, Gary  
Marston, Dick  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Souza, Kathleen  
Ulery, Jordan

**MERRIMACK**

Hoell, J.R.  
Smith, Todd

McGuire, Carol

McGuire, Dan

Ratzki, Mario

**ROCKINGHAM**

Allen, Mary  
Birdsell, Regina  
Emerick, J. Tracy  
Gordon, Richard  
Hodgdon, Bruce  
Khan, Aboul  
Schroadter, Adam  
Tasker, Kyle  
Weyler, Kenneth

Baldasaro, Alfred  
Cahill, Michael  
Ferrante, Beverly  
Grace, Curtis  
Introne, Robert  
Kolodziej, Walter  
St.James, Kevin  
Thompson, David

Belanger, Ronald  
Comerford, Timothy  
Garcia, Bianca  
Hagan, Joseph  
Itse, Daniel  
Rice, Frederick  
Sweeney, Joe  
Tucker, Pamela

Bick, Patrick  
Duarte, Joe  
Garcia, Marilinda  
Harris, Jeffrey  
Kappler, Lawrence  
Sapareto, Frank  
Tamburello, Daniel  
Webb, James Sr

**STRAFFORD**

Bickford, David  
Pitre, Joseph

Groen, Warren

Jones, Laura

Ketel, Stephen

**SULLIVAN**

Osgood, Joe

Smith, Steven

**NAYS 247****BELKNAP**

Arsenault, Beth  
Huot, David

DiMartino, Lisa  
Luther, Robert

Flanders, Donald  
Raymond, Ian

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Umberger, Karen

Butler, Edward  
White, Syndi

Crawford, Karel

Merrrow, Harry

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Lerandeau, Alfred  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald  
Chandlee, Shannon  
Culbert, Patrick  
Gagne, Larry  
Gorman, Mary  
Hammond, Jill  
Jack, Martin  
Kopka, Angeline  
Levesque, Melanie  
Martel, Andre  
Murphy, Kelleigh  
Renzullo, Andrew  
Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr

Barry, Richard  
Brown, Pamela  
Coffey, James  
Danielson, David  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Jasper, Shawn  
Kurk, Neal  
Long, Patrick  
McCarthy, Michael  
Nelson, Mary  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Beaulieu, Jane  
Campbell, David  
Connor, Evelyn  
DiSilvestro, Linda  
Gargas, Carolyn  
Graham, John  
Harriott-Gathright, Linda  
Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
McCloskey, David  
O'Neil, William  
Rowe, Robert  
Soucy, Timothy  
Vail, Suzanne  
Winters, Joel

Belanger, James  
Carroll, Douglas  
Cote, David  
Eaton, Richard  
Goley, Jeffrey  
Haefner, Robert  
Heden, Ruth  
Knowles, Mary Ann  
LeVasseur, Richard  
Manley, Jonathan Sr  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Vaillancourt, Steve  
Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
MacKay, James  
Reed, Dennis  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

**ROCKINGHAM**

Abrami, Patrick  
Charron, Gene  
DeSimone, Debra  
Emerson-Brown, Rebecca  
Hayes, Jack  
Lovejoy, Patricia  
McKinney, Betsy  
Muns, Chris  
Pantelakos, Laura  
Sedensky, John  
Ward, Gerald

Andrews-Ahearn, E. Elaine  
Chirichiello, Brian  
Devine, James  
Fesh, Robert  
Heffron, Frank  
Lundgren, David  
McMahon, Charles  
Nigrello, Robert  
Sanders, Elisabeth  
Sherman, Thomas  
Waterhouse, Kevin

Borden, David  
Copeland, Timothy  
Dumaine, Dudley  
Flockhart, Eileen  
Helmstetter, Barbara  
Major, Norman  
Milz, David  
O'Connor, John  
Scarlott, Joe  
Sytek, John  
Wazlaw, Brian

Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Elliott, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Mann, Maureen  
Moody, Marcia  
Packard, Sherman  
Schlachman, Donna  
Till, Mary  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida

Berube, Roger  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Meneau, H. Robert III

Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Mullen, John Jr



Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Perry, Robert  
Smith, Marjorie  
Verschuere, James

Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Rollo, Deanna  
Spang, Judith

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
Tanner, Linda  
and the motion failed.

Gagnon, Raymond  
Rollins, Skip

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

## COMMITTEE OF CONFERENCE REPORTS ON SENATE BILLS (CONT'D)

### COMMITTEE OF CONFERENCE REPORT ON SB 157-FN

Committee of Conference Report on SB 157-FN, an act establishing a New Hampshire disaster relief fund.

#### Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as amended by the Senate.

Conferees: Sens. Bragdon, Dist. 11; Forrester, Dist. 2; and Larsen, Dist. 15.

Conferees: Reps. Ford, Graf. 3; Buco, Carr. 2; Daniel Eaton, Ches. 3; and Weyler, Rock. 13.

Committee of Conference Report adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 188-FN

Committee of Conference Report on SB 188-FN, an act relative to municipally owned utilities.

#### Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

Conferees: Sens. Rausch, Dist. 19; Boutin, Dist. 16; and Gilmour, Dist. 12.

Conferees: Reps. Campbell, Hills. 33; Maureen Mann, Rock. 32; Ratzki, Merr. 1; and Graham, Hills. 7.

Committee of Conference Report adopted.

### COMMITTEE OF CONFERENCE REPORT ON SB 189-FN

Committee of Conference Report on SB 189-FN, an act relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board.

#### Recommendation:

That the Senate recede from its position of nonconcurrency with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

Conferees: Sens. Carson, Dist. 14; Cataldo, Dist. 6; and Watters, Dist. 4.

Conferees: Reps. Schuett, Merr. 20; Weber, Ches. 1; Sytek, Rock. 8; and Moffett, Merr. 9.

Committee of Conference Report adopted.

## SENATE MESSAGE

### ADOPTION OF COMMITTEE OF CONFERENCE REPORT

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015.

### COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015. (Report printed SJ 6-26-13)

Reps. Dan McGuire and Wallner spoke in favor and yielded to questions.

Rep. Carol McGuire spoke in favor.

Rep. Daniel Eaton requested a roll call; sufficiently seconded.

## YEAS 337 NAYS 18

### YEAS 337

#### BELKNAP

Arsenault, Beth  
Fink, Charles  
Holmes, Stephen  
Tilton, Franklin

Comtois, Guy  
Flanders, Donald  
Huot, David  
Vadney, Herbert

DiMartino, Lisa  
Greemore, Robert Jr  
Luther, Robert  
Worsman, Colette

Fields, Dennis  
Gulick, Ruth  
Raymond, Ian

#### CARROLL

Ahlgren, Christopher  
Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen

Butler, Edward  
Lavender, Tom  
Umberger, Karen

Chandler, Gene  
Merrow, Harry  
White, Syndi

#### CHESHIRE

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Johnson, Jane  
Parkhurst, Henry  
Shepardson, Marjorie

Burridge, Delmar  
Emerson, Susan  
Lerandeau, Alfred  
Roberts, Kris  
Tatro, Bruce

Butynski, William  
Hunt, John  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

#### COOS

Coulombe, Gary  
Moynihan, Wayne  
Theberge, Robert

Enman, Larry  
Rappaport, Laurence  
Thomas, Yvonne

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Rideout, Leon

#### GRAFTON

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Bailey, Brad  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

#### HILLSBOROUGH

Backus, Robert  
Boehm, Ralph  
Byron, Frank  
Chandley, Shannon  
Cote, David  
Eaton, Richard  
Gargas, Carolyn  
Graham, John  
Hansen, Peter  
Hopper, Gary  
Knowles, Mary Ann  
LeBrun, Donald  
Long, Patrick  
Martel, Andre  
Murotake, David  
Notter, Jeanine

Barry, Richard  
Boisvert, Ronald  
Campbell, David  
Christiansen, Lars  
Culbert, Patrick  
Flanagan, Jack  
Goley, Jeffrey  
Haefner, Robert  
Harriott-Gathright, Linda  
Jack, Martin  
Kopka, Angeline  
Leishman, Peter  
MacKay, Mariellen  
McCarthy, Michael  
Murphy, Keith  
O'Flaherty, Tim

Beaulieu, Jane  
Brown, Pamela  
Carroll, Douglas  
Coffey, James  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Jasper, Shawn  
Kurk, Neal  
LeVasseur, Richard  
Manley, Jonathan Sr  
McCloskey, David  
Murphy, Kelleigh  
O'Neil, William

Belanger, James  
Burt, John  
Cebrowski, John  
Connor, Evelyn  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Hinch, Richard  
Kelley, John  
Lambert, George  
Levesque, Melanie  
Marston, Dick  
McNamara, Richard  
Nelson, Mary  
Ober, Russell III

Palmer, Stephen  
Porter, Marjorie  
Rowe, Robert  
Shattuck, Gilman  
Souza, Kathleen  
Sullivan, Peter  
Vaillancourt, Steve  
Williams, Kermit

Parison, James  
Pratt, Calvin  
Sanborn, Laurie  
Shaw, Barbara  
Spratt, Stephen  
Takesian, Charlene  
Villeneuve, Moe  
Winters, Joel

Pellegrino, Tony  
Renzullo, Andrew  
Sandblade, Emily  
Smith, Timothy  
Straight, Philip  
Ulery, Jordan  
Walsh, Robert Jr  
Woodbury, David

Peterson, Lenette  
Rosenwald, Cindy  
Schmidt, Janice  
Soucy, Timothy  
Stroud, Kathleen  
Vail, Suzanne  
Willette, Robert

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Lockwood, Priscilla  
Moffett, Howard  
Reed, Dennis  
Schamberg, Thomas  
Tilton, Joy  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Kelly, Sally  
MacKay, James  
Myler, Mel  
Rice, Chip  
Schuett, Dianne  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
McGuire, Carol  
Patten, Dick  
Richardson, Gary  
Shurtleff, Stephen  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kotowski, Frank  
McGuire, Dan  
Ratzki, Mario  
Rogers, Katherine  
Smith, Todd  
Walz, Mary Beth

### ROCKINGHAM

Abрами, Patrick  
Belanger, Ronald  
Cahill, Michael  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Milz, David  
O'Connor, John  
Sanders, Elisabeth  
Schroadter, Adam  
Sweeney, Joe  
Thompson, David  
Waterhouse, Kevin  
Whitemore, Lisa

Allen, Mary  
Bick, Patrick  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hayes, Jack  
Hoelzel, Kathleen  
Khan, Aboul  
Mann, Maureen  
Moody, Marcia  
Packard, Sherman  
Sapareto, Frank  
Sedensky, John  
Sytek, John  
Till, Mary  
Wazlaw, Brian

Andrews-Ahearn, E. Elaine  
Birdsell, Regina  
Charron, Gene  
DeSimone, Debra  
Elliott, Robert  
Flockhart, Eileen  
Griffin, Mary  
Heffron, Frank  
Introne, Robert  
Lovejoy, Patricia  
McKinney, Betsy  
Muns, Chris  
Pantelakos, Laura  
Scarlott, Joe  
Sherman, Thomas  
Tamburello, Daniel  
Tucker, Pamela  
Webb, James Sr

Baldasaro, Alfred  
Borden, David  
Comerford, Timothy  
Devine, James  
Emerson-Brown, Rebecca  
Garcia, Bianca  
Hagan, Joseph  
Helmstetter, Barbara  
Itse, Daniel  
Lundgren, David  
McMahon, Charles  
Nigrello, Robert  
Rice, Frederick  
Schlachman, Donna  
St.James, Kevin  
Tasker, Kyle  
Ward, Gerald  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Burdwood, Greg  
Gray, James  
Horrigan, Timothy  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Berube, Roger  
Burke, Rachel  
Groen, Warren  
Hubbard, Pamela  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Bickford, David  
Ginsburg, Philip  
Grossman, Kenneth  
Jones, Laura  
Menear, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Hooper, Dorothea  
Kaen, Naida  
Mullen, John Jr  
Rollo, Deanna  
Spang, Judith

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
Smith, Steven

Gagnon, Raymond  
Osgood, Joe  
Sweeney, Cynthia

Gottling, Suzanne  
Rollins, Skip  
Tanner, Linda

Grenier, James  
Schmidt, Andrew

**NAYS 18  
BELKNAP**

Burchell, Richard

Cormier, Jane

**CARROLL**

Ticehurst, Susan

**CHESHIRE**

None

**COOS**

None

**GRAFTON**

Gionet, Edmond

**HILLSBOROUGH**

Daniels, Gary

Garcia, Michael

Hikel, John

Infantine, William

Meaney, Richard

O'Brien, William

Sullivan, Daniel

Warden, Mark

**MERRIMACK**

Hoell, J.R.

**ROCKINGHAM**

Chirichiello, Brian

Emerick, J. Tracy

Gordon, Richard

Kolodziej, Walter

**STRAFFORD**

Pitre, Joseph

**SULLIVAN**

None

and the Committee of Conference Report was adopted.

**UNANIMOUS CONSENT**

Reps. Hess, Herbert Richardson and Vaillancourt addressed the House.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Hess be printed in the Permanent Journal.  
Adopted.

**REMARKS**

**Rep. Hess:** Thank you very much, Madam Speaker. For those of you who were here last year, you know of my passion for military history and in particular, the Civil War. This month, this date, marks almost exactly the midpoint of that conflict, a conflict that resulted in more killed in action and wounded dead than every other war in the history of the United States through Vietnam. New Hampshire, as I mentioned at Memorial Day last year, contributed 21 regiments, over 32,000 men to that conflict and we suffered more than 6% casualties, among the highest rate of casualties in any state in the Union. Today is bracketed by three of probably the most decisive battles of that war and I'd like to share with you the involvement of New Hampshire men in those battles. Chancellorsville was fought on May 1 to May 3 in Northern Virginia. Gettysburg followed two months later, July 1 to July 4 in that small town in Southeastern Pennsylvania and Vicksburg surrendered on July 4, 1863. Five of our New Hampshire regiments, the First New Hampshire Light Battery and the three companies of New Hampshire sharpshooters participated in one or more of those battles. I'd like to share with you the suffering and the successes and failures of our New Hampshire predecessors in those conflicts. Chancellorsville, you may remember, was the crowning achievement of Robert E. Lee. Faced with an army twice his size, Lee and Jackson split the army in Northern Virginia in half, more than half, and Lee sent Jackson on a 22 mile forced march to the left around the

rightwing and right flank of the Union. They arrived there roughly at 3:00 in the afternoon. One of the Federal units holding the right flank and the right flank was in the air, meaning that it just sort of dangled off; there were no natural barriers to protect people from outflanking it. It was the 12<sup>th</sup> New Hampshire regiment. There is a vivid first person account of what happened there. All of a sudden, about 2:00 or 2:30 in the afternoon, all of the wildlife in front of the Federal lines began to come running out; deer, rabbits, bear, anything that could move, came running into and through the Union line. The men of the 12<sup>th</sup> thought this was pretty hilarious and were shooting some of the animals as they were coming through to supplement their diets. Little did they know that behind those animals were 32,000 rebels under Stonewall Jackson. The 12<sup>th</sup> regiment broke almost immediately and fled to the rear. 75% of its effectives were lost in that battle. The regiment went into the fight with 28 officers and 549 enlisted men. 18 of those officers were killed or wounded and 254 of the enlisted men were killed or wounded in two hours of conflict. The 12<sup>th</sup> reformed and would later join in the battle of Gettysburg. Not an auspicious start for New Hampshire's men under arms. At Gettysburg we had 3 regiments of New Hampshire men involved in the battle, the 2<sup>nd</sup>, the 5<sup>th</sup> and the 12<sup>th</sup>. All of them were involved in some of the most heavily engaged aspects of that battle. If you are familiar with Gettysburg, the Union line was called the fishhook, on the right was Culp's Hill and then it spun around in a circle and ran down Cemetery Ridge to Devil's Den, Round Top and Little Round Top. On July 2<sup>nd</sup>, when the two armies were face to face, the 12<sup>th</sup> was situated on Culp's Hill and the 5<sup>th</sup> was located on the area of Round Top. Both units suffered severe casualties. Both repulsed the Confederate advances. On Culp's Hill, the 2<sup>nd</sup> went into battle with 553 men. In three hours, 47 were killed, 136 were wounded and 46 were missing in action. Only three of their officers were either not killed or not wounded. Because of those casualties suffered, over 300 out of the 350 effectives, the regiment was removed from the line for a year and did not reappear in combat until Cold Harbor, almost a year later. The 12<sup>th</sup> which had been decimated in Chancellorsville, suffered a similar fate when it went into battle on July 2<sup>nd</sup>, they had only 224 effectives out of an original compliment of 1,000. In the battle, at that time on July 2<sup>nd</sup> around Little Round Top on the far left of the Federal unit line, 26 were killed and 73 were injured. Again, the regiment was decimated such that on July 3<sup>rd</sup>, on the day of Pickett's charge, the 12<sup>th</sup> was integrated with other Federal units right in the center of the line and participated in throwing back Pickett on July 3<sup>rd</sup>. If you go down to the bottom of the stairs behind the House Chambers, here you will see a replication of one of the dioramas of Gettysburg depicting the highpoint of Pickett's charge with Armistead leading the Confederates over the original Union lines. I don't think people knew it when they put that painting there, but that painting exactly portrays where the last 50 effectives of the 12<sup>th</sup> New Hampshire regiment fought and helped to turn back Pickett. The 5<sup>th</sup>, as I recounted last year, had an unusual and sorrowful commendation to it. The 5<sup>th</sup> New Hampshire was the most seriously damaged regiment in the Union army over four years. It suffered more casualties, more killed, more wounded than any other unit in the Union Army and the 5<sup>th</sup> also fought at both Chancellorsville and Gettysburg and like the 2<sup>nd</sup> and the 12<sup>th</sup>, had been reduced to such a small number of men that it was not an effective fighting unit until almost a year later. In addition to those two battles on the East, we had the Vicksburg conflict and the siege and surrender of Vicksburg on July 4<sup>th</sup>. I didn't know this until I went there for the third time last fall, but New Hampshire actually had two regiments involved in the siege of Vicksburg, the 6<sup>th</sup> and the 11<sup>th</sup>. They were there when the surrender occurred, they participated in the siege and they honorably showed the colors of New Hampshire. As I said, over the course of the four years, we lost 6% of the young men who went to war to save the Union. We should be proud of that as I know they were, as you can see in every monument to the Civil War in every village throughout the state. Thank you.

### MOTION TO PRINT REMARKS

Rep. Gary Richardson moved that the remarks made by Rep. Herbert Richardson be printed in the Permanent Journal.

Adopted.

### REMARKS

**Rep. Herbert Richardson:** Thank you, Madam Speaker. Members of the House, today we honor Leighton Pratt, a 7-term member of the New Hampshire Representatives from 1991 to 2005, who passed away on June 11<sup>th</sup> at the age of 90. Leighton was a World War II Veteran who served in the US Coast Guard from 1942 to 1946. One of his favorite sayings was in order to make weight, the

night before, he and his friend, ate pounds and pounds of bananas and then the next morning were able to make the grade. As soon as he enlisted, before going through basic training, he was put onboard the USS Leonard Wood out of Boston. The ship transported troops and supplies as well as return Veterans who were wounded in action. While aboard the USS Leonard Wood, Leighton was injured in a submarine attack and after his recovery was assigned to the USS Woonsocket which led convoys through the channels North of Newfoundland through the North Atlantic to England and participated in sinking four submarines. After being discharged from the Coast Guard, he attended the University of Vermont on the GI Bill and then received his masters at the University of Rhode Island. Afterwards, he went on to work for the Vermont Department of Agriculture and the State Plant Pathologist and Nursery Inspection Supervisor. From there, he went on to teach in Vermont at Cabot High School, Newport High School and the North Country Union High School. However, Leighton's greatest accomplishments in life was assisting the agricultural community which he was able to do in the House on the Agriculture Committee as well as becoming Coos County Agricultural Agent in Lancaster in 1969 where he continued until his retirement in 1988. In 2002, he was recognized by the local farm bureau for his agricultural community commitment and as well as the State Farm Bureau at the time of his retirement in the House. What was described as his greatest accomplishment was getting this legislation passed and establishing the Integrated Pest Management Program which reduces the amount of pesticides used on food crops. Leighton Pratt was noted for his gardening, especially pumpkins, Indian corn and gourds. He was probably best known in the North Country for establishing one of the first pick-your-own blueberry farms in the Town of Lancaster and did so until two years ago when he was done doing that. Leighton and his wife Sally recently celebrated their 51<sup>st</sup> anniversary and recently his 90<sup>th</sup> birthday with his sons Randall, Bruce and his grandchildren, Alex and Tori. Leighton was a beloved husband, father, grandfather, friend and colleague who will be missed. Thank you.

### **MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the former Representative from Lancaster, the Honorable Leighton Pratt.

### **MOTION TO PRINT REMARKS**

Rep. Lambert moved that the remarks made by Rep. Vaillancourt be printed in the Permanent Journal. Adopted.

### **REMARKS**

**Rep. Vaillancourt:** Thank you, Madam Speaker. While we appear here today on very important business, and while we have already acknowledged what one of the previous unanimous consents a very important time in the history of our country, many of us for the last hour or so have been following the news and if I inform you for the first time, so be it. By a vote of 5-4 with Justice Kennedy writing for the majority, the Supreme Court today struck down the Defense of Marriage Act, 5-4 decision. The court also had a mixed ruling in the California case, deciding proper standing did not exist to go into the details of the case, but reaffirming the California Court, which means that gay marriage most likely will now be legal in California. When I talked about history at the beginning of these remarks, I cannot help but think of the role New Hampshire played and the role some of us in this House played in bringing about this historic moment. It wasn't too long ago that I stood at that podium and the gay marriage decision was reached in New Hampshire and without a court telling New Hampshire to do so, we in this body, legalized gay marriage and we refused to go back on it last year. I think that all of us in New Hampshire, or certainly the ones that believe that all men are created equal and should be entitled to the same rights, can look back historically on the role we played in turning public opinion around. And, as I stand here today, I think we ought to honor Jim Splaine, the former Portsmouth Representative and Senator who did so much in leading this effort. So, I guess I'd like to just end with the words I spoke back at the time from a famous song, for everything there is a season, and I think the season of equality is one step closer today. Thank you.

### **SENATE MESSAGE**

#### **ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures. (Report printed SJ 6-26-13)

Rep. William O'Brien spoke in favor.

Rep. Rosenwald spoke in favor, yielded to questions and requested a roll call; sufficiently seconded.

**YEAS 346 NAYS 12****YEAS 346****BELKNAP**

Arsenault, Beth  
DiMartino, Lisa  
Greemore, Robert Jr  
Luther, Robert

Burchell, Richard  
Fields, Dennis  
Gulick, Ruth  
Raymond, Ian

Comtois, Guy  
Fink, Charles  
Holmes, Stephen  
Tilton, Franklin

Cormier, Jane  
Flanders, Donald  
Huot, David  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

Buco, Thomas  
Crawford, Karel  
Schmidt, Stephen

Butler, Edward  
Lavender, Tom  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
White, Syndy

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Eaton, Daniel  
Johnson, Jane  
Parkhurst, Henry  
Shepardson, Marjorie

Burridge, Delmar  
Emerson, Susan  
Lerandeau, Alfred  
Roberts, Kris  
Tatro, Bruce

Butynski, William  
Hunt, John  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne  
Theberge, Robert

Enman, Larry  
Rappaport, Laurence  
Thomas, Yvonne

Hammon, Marcia  
Richardson, Herbert

Hatch, William  
Rideout, Leon

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Bailey, Brad  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Boehm, Ralph  
Byron, Frank  
Chandley, Shannon  
Cote, David  
Eaton, Richard  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Hinch, Richard  
Kelley, John  
Lambert, George  
Levesque, Melanie  
Marston, Dick

Barry, Richard  
Boisvert, Ronald  
Campbell, David  
Christiansen, Lars  
Culbert, Patrick  
Flanagan, Jack  
Gargas, Carolyn  
Graham, John  
Hansen, Peter  
Hopper, Gary  
Knowles, Mary Ann  
LeBrun, Donald  
Long, Patrick  
Martel, Andre

Beaulieu, Jane  
Brown, Pamela  
Carroll, Douglas  
Coffey, James  
Danielson, David  
Gage, Ruth  
Goley, Jeffrey  
Haefner, Robert  
Harriott-Gathright, Linda  
Jack, Martin  
Kopka, Angeline  
Leishman, Peter  
MacKay, Mariellen  
McCarthy, Michael

Belanger, James  
Burt, John  
Cebrowski, John  
Connor, Evelyn  
DiSilvestro, Linda  
Gagne, Larry  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Jasper, Shawn  
Kurk, Neal  
LeVasseur, Richard  
Manley, Jonathan Sr  
McCloskey, David

McNamara, Richard  
 Nelson, Mary  
 O'Flaherty, Tim  
 Palmer, Stephen  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Schmidt, Janice  
 Soucy, Timothy  
 Stroud, Kathleen  
 Villeneuve, Moe  
 Williams, Kermit

Murotake, David  
 Notter, Jeanine  
 O'Neil, William  
 Parison, James  
 Pratt, Calvin  
 Rowe, Robert  
 Shattuck, Gilman  
 Souza, Kathleen  
 Takesian, Charlene  
 Walsh, Robert Jr  
 Winters, Joel

Murphy, Keith  
 O'Brien, Michael Sr  
 Ober, Lynne  
 Pellegrino, Tony  
 Renzullo, Andrew  
 Sanborn, Laurie  
 Shaw, Barbara  
 Spratt, Stephen  
 Ulery, Jordan  
 Warden, Mark  
 Woodbury, David

Murphy, Kelleigh  
 O'Brien, William  
 Ober, Russell III  
 Peterson, Lenette  
 Rokas, Ted  
 Sandblade, Emily  
 Smith, Timothy  
 Straight, Philip  
 Vail, Suzanne  
 Willette, Robert

### MERRIMACK

Alicea, Caroletta  
 Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Kelly, Sally  
 MacKay, James  
 Myler, Mel  
 Rice, Chip  
 Schuett, Dianne  
 Turcotte, Alan  
 Webb, Leigh

Andrews, Christopher  
 Carey, Lorrie  
 Frambach, Mary  
 Henle, Paul  
 Kidder, David  
 McGuire, Carol  
 Patten, Dick  
 Richardson, Gary  
 Shurtleff, Stephen  
 Wallner, Mary Jane

Bartlett, Christy  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Kotowski, Frank  
 McGuire, Dan  
 Ratzki, Mario  
 Rogers, Katherine  
 Smith, Todd  
 Walz, Mary Beth

Bouchard, Candace  
 Davis, Frank  
 French, Barbara  
 Karrick, David Jr  
 Lockwood, Priscilla  
 Moffett, Howard  
 Reed, Dennis  
 Schamberg, Thomas  
 Tilton, Joy  
 Watrous, Rick

### ROCKINGHAM

Abrami, Patrick  
 Belanger, Ronald  
 Burtis, Elizabeth  
 Chirichiello, Brian  
 DeSimone, Debra  
 Elliott, Robert  
 Fesh, Robert  
 Grace, Curtis  
 Hayes, Jack  
 Hoelzel, Kathleen  
 Khan, Aboul  
 Major, Norman  
 Milz, David  
 O'Connor, John  
 Sanders, Elisabeth  
 Schroadter, Adam  
 Sweeney, Joe  
 Tucker, Pamela  
 Webb, James Sr

Allen, Mary  
 Bick, Patrick  
 Cahill, Michael  
 Comerford, Timothy  
 Devine, James  
 Emerick, J. Tracy  
 Flockhart, Eileen  
 Griffin, Mary  
 Heffron, Frank  
 Introne, Robert  
 Kolodziej, Walter  
 Mann, Maureen  
 Moody, Marcia  
 Packard, Sherman  
 Sapareto, Frank  
 Sedensky, John  
 Sytek, John  
 Ward, Gerald  
 Weyler, Kenneth

Andrews-Ahearn, E. Elaine  
 Birdsell, Regina  
 Cali-Pitts, Jacqueline  
 Copeland, Timothy  
 Duarte, Joe  
 Emerson-Brown, Rebecca  
 Garcia, Bianca  
 Hagan, Joseph  
 Helmstetter, Barbara  
 Itse, Daniel  
 Lovejoy, Patricia  
 McKinney, Betsy  
 Muns, Chris  
 Pantelakos, Laura  
 Scarlotto, Joe  
 Sherman, Thomas  
 Tamburello, Daniel  
 Waterhouse, Kevin  
 Whittemore, Lisa

Baldasaro, Alfred  
 Borden, David  
 Charron, Gene  
 Cushing, Robert Jr  
 Dumaine, Dudley  
 Ferrante, Beverly  
 Gordon, Richard  
 Harris, Jeffrey  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Lundgren, David  
 McMahon, Charles  
 Nigrello, Robert  
 Rice, Frederick  
 Schlachman, Donna  
 St. James, Kevin  
 Till, Mary  
 Wazlaw, Brian

### STRAFFORD

Baber, William  
 Burdwood, Greg  
 Grassie, Anne  
 Hooper, Dorothea  
 Kaen, Naida  
 Mullen, John Jr  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Berube, Roger  
 Burke, Rachel  
 Gray, James  
 Horrigan, Timothy  
 Ketel, Stephen  
 Pelletier, Marsha  
 Rollo, Deanna  
 Spang, Judith

Bickford, David  
 Gardner, Janice  
 Groen, Warren  
 Hubbard, Pamela  
 Malloy, Dennis  
 Perry, Robert  
 Schmidt, Peter  
 Stevens, Audrey

Bixby, Peter  
 Ginsburg, Philip  
 Grossman, Kenneth  
 Jones, Laura  
 Menear, H. Robert III  
 Pitre, Joseph  
 Smith, Marjorie  
 Verschueren, James



**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
O'Hearne, Andrew  
Smith, Steven

Gottling, Suzanne  
Osgood, Joe  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip  
Tanner, Linda

**NAYS 12**  
**BELKNAP**

Worsman, Colette

**CARROLL**

Ticehurst, Susan

**CHESHIRE**

None

**COOS**

None

**GRAFTON**

None

**HILLSBOROUGH**

Daniels, Gary  
Meaney, Richard

Garcia, Michael  
Sullivan, Daniel

Hikel, John  
Sullivan, Peter

Infantine, William  
Vaillancourt, Steve

**MERRIMACK**

Hoell, J.R.

**ROCKINGHAM**

Garcia, Marilinda

**STRAFFORD**

None

**SULLIVAN**

None  
and the Committee of Conference Report was adopted.

The House recessed at 11:45 a.m.

**RECESS**

The House reconvened at 12:55 p.m.

**(Speaker Norelli in the Chair)**

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 25-FN-A**, making appropriations for capital improvements.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 25-FN-A**, making appropriations for capital improvements. (Report printed SJ 6-26-13)  
Rep. Campbell spoke in favor.  
Committee of Conference Report adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. (Report printed SJ 6-26-13)

Rep. Carol McGuire spoke against and yielded to questions.

Rep. Kurk spoke against.

Rep. Goley spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 192 NAYS 156****YEAS 192****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Crawford, Karel

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Mann, John  
Shepardson, Marjorie

Berch, Paul  
Eaton, Daniel  
Parkhurst, Henry  
Weber, Lucy

Burridge, Delmar  
Johnsen, Gladys  
Robertson, Timothy  
Weed, Charles

Butynski, William  
Ley, Douglas  
Sad, Tara

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Thomas, Yvonne

Hammon, Marcia

Hatch, William

**GRAFTON**

Aguiar, James  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Townsend, Charles

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
White, Andrew

Benn, Bernard  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy

Cooney, Mary  
Higgins, Patricia  
Mulholland, Catherine  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Cote, David  
Gage, Ruth  
Grady, Brenda  
Jack, Martin  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
Danielson, David  
Gale, Sylvia  
Hammond, Jill  
Knowles, Mary Ann  
Levesque, Melanie  
McCarthy, Michael  
O'Brien, Michael Sr  
Rhodes, Brian  
Shaw, Barbara  
Sullivan, Daniel  
Woodbury, David

Boisvert, Ronald  
Chandlee, Shannon  
DiSilvestro, Linda  
Gargas, Carolyn  
Harriott-Gathright, Linda  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Vail, Suzanne

Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Goley, Jeffrey  
Heden, Ruth  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Walsh, Robert Jr

**MERRIMACK**

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

Andrews, Christopher  
Carson, Clyde  
Frazer, June  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Walz, Mary Beth

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Copeland, Timothy	Cushing, Robert Jr
Emerson-Brown, Rebecca	Flockhart, Eileen	Hayes, Jack	Heffron, Frank
Helmstetter, Barbara	Khan, Aboul	Lovejoy, Patricia	Major, Norman
Mann, Maureen	McMahon, Charles	Moody, Marcia	Muns, Chris
Pantelakos, Laura	Scarlotta, Joe	Schlachman, Donna	Sherman, Thomas
St.James, Kevin	Till, Mary	Ward, Gerald	Wazlaw, Brian
Weyler, Kenneth	Whitemore, Lisa		

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela
Kaen, Naida	Ketel, Stephen	Malloy, Dennis	Menear, H. Robert III
Pelletier, Marsha	Perry, Robert	Rogers, Rose Marie	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Spainhower, Dale	Spang, Judith
Stevens, Audrey	Verschueren, James	Wall, Janet	

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Schmidt, Andrew	Tanner, Linda	

**NAYS 156****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Greemore, Robert Jr	Holmes, Stephen	Luther, Robert
Tilton, Franklin	Vadney, Herbert	Worsman, Colette	

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Lavender, Tom
McConkey, Mark	Morrow, Harry	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Donald		

**CHESHIRE**

Emerson, Susan	Hunt, John	Johnson, Jane	Roberts, Kris
Tatro, Bruce			

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon	Theberge, Robert
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**GRAFTON**

Bailey, Brad	Bradley, Lester	Brown, Rebecca	Doolan, Ralph Jr
Gionet, Edmond	Ladd, Rick Jr	Reilly, Harold Sr	Sykes, George

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Christiansen, Lars	Coffey, James
Culbert, Patrick	Daniels, Gary	Gagne, Larry	Garcia, Michael
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Hinch, Richard	Hopper, Gary	Infantine, William	Jasper, Shawn
Kurk, Neal	Lambert, George	LeBrun, Donald	LeVasseur, Richard
Marston, Dick	Meaney, Richard	Murotake, David	Murphy, Keith
Notter, Jeanine	O'Brien, William	O'Flaherty, Tim	Ober, Lynne
Ober, Russell III	Palmer, Stephen	Parison, James	Pellegrino, Tony
Peterson, Lenette	Renzullo, Andrew	Rowe, Robert	Sanborn, Laurie
Sandblade, Emily	Straight, Philip	Stroud, Kathleen	Sullivan, Peter

Takesian, Charlene  
Warden, Mark

Ulery, Jordan  
Willette, Robert

Vaillancourt, Steve  
Winters, Joel

Villeneuve, Moe

### MERRIMACK

Bartlett, Christy  
Kidder, David  
McGuire, Dan

Hess, David  
Kotowski, Frank  
Smith, Todd

Hirsch, Geoffrey  
Lockwood, Priscilla  
Turcotte, Alan

Hoell, J.R.  
McGuire, Carol

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Comerford, Timothy  
Dumaine, Dudley  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Kolodziej, Walter  
O'Connor, John  
Sapareto, Frank  
Sytek, John  
Waterhouse, Kevin

Allen, Mary  
Birdsell, Regina  
DeSimone, Debra  
Elliott, Robert  
Garcia, Marilinda  
Hagan, Joseph  
Introne, Robert  
McKinney, Betsy  
Packard, Sherman  
Schroader, Adam  
Tamburello, Daniel  
Webb, James Sr

Baldasaro, Alfred  
Charron, Gene  
Devine, James  
Emerick, J. Tracy  
Gordon, Richard  
Harris, Jeffrey  
Itse, Daniel  
Milz, David  
Rice, Frederick  
Sedensky, John  
Thompson, David

Belanger, Ronald  
Chirichiello, Brian  
Duarte, Joe  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
Nigrello, Robert  
Sanders, Elisabeth  
Sweeney, Joe  
Tucker, Pamela

### STRAFFORD

Gray, James  
Pitre, Joseph

Groen, Warren

Jones, Laura

Mullen, John Jr

### SULLIVAN

Grenier, James  
Sweeney, Cynthia

Osgood, Joe

Rollins, Skip

Smith, Steven

and the Committee of Conference Report was adopted.

### SENATE MESSAGE

#### ADOPTION OF COMMITTEE OF CONFERENCE REPORT

**HB 142**, relative to teacher evaluation systems.

#### COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL

**HB 142**, relative to teacher evaluation systems. (Report printed SJ 6-26-13)  
Committee of Conference Report adopted.

### MOTION TO PRINT DEBATE

Rep. Groen moved that the debate on **HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures, be printed in the Permanent Journal.

Rep. Groen spoke in favor.

On a division vote, 150 members having voted in the affirmative and 198 in the negative, the motion failed.

### SENATE MESSAGE

#### ADOPTION OF COMMITTEE OF CONFERENCE REPORT

**HB 183**, relative to processing absentee ballots.

#### COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL

**HB 183**, relative to processing absentee ballots. (Report printed SJ 6-26-13)  
Committee of Conference Report adopted.

### SENATE MESSAGE

#### ADOPTION OF COMMITTEE OF CONFERENCE REPORT

**HB 220**, relative to the New Hampshire medal of honor.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 220**, relative to the New Hampshire medal of honor. (Report printed SJ 6-26-13)  
Committee of Conference Report adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 224**, relative to the authority of the superintendent of a county correctional facility.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 224**, relative to the authority of the superintendent of a county correctional facility. (Report printed SJ 6-26-13)  
Committee of Conference Report adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 242**, relative to child passenger restraint requirements.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 242**, relative to child passenger restraint requirements. (Report printed SJ 6-26-13)  
Rep. Dan McGuire requested a roll call; sufficiently seconded.

**YEAS 227 NAYS 126****YEAS 227****BELKNAP**

DiMartino, Lisa  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

Gulick, Ruth  
Vadney, Herbert

Huot, David

**CARROLL**

Buco, Thomas  
Lavender, Tom

Butler, Edward  
Morrow, Harry

Chandler, Gene  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnson, Jane  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Shepardson, Marjorie

Butynski, William  
Johnsen, Gladys  
Parkhurst, Henry  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

**GRAFTON**

Aguir, James  
Cooney, Mary  
Gionet, Edmond  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Almy, Susan  
Doolan, Ralph Jr  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Mulholland, Catherine  
Reilly, Harold Sr  
White, Andrew

Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Coffey, James  
Eaton, Richard  
Gargas, Carolyn

Beaulieu, Jane  
Carroll, Douglas  
Connor, Evelyn  
Flanagan, Jack  
Goley, Jeffrey

Boisvert, Ronald  
Chandley, Shannon  
Cote, David  
Gage, Ruth  
Gorman, Mary

Brown, Pamela  
Christiansen, Lars  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda

Haefner, Robert  
Hinch, Richard  
Leishman, Peter  
MacKay, Mariellen  
Murotake, David  
Porter, Marjorie  
Rowe, Robert  
Soucy, Timothy  
Vail, Suzanne

Hammond, Jill  
Jack, Martin  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Stroud, Kathleen  
Williams, Kermit

Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Daniel  
Woodbury, David

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hess, David  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Devine, James  
Grace, Curtis  
Helmstetter, Barbara  
Major, Norman  
Nigrello, Robert  
Schlachman, Donna  
Till, Mary

Borden, David  
Cali-Pitts, Jacqueline  
Elliott, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Mann, Maureen  
O'Connor, John  
Sherman, Thomas  
Ward, Gerald

Briden, Steven  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Hayes, Jack  
Khan, Aboul  
Moody, Marcia  
Packard, Sherman  
Sweeney, Joe  
Wazlaw, Brian

Burtis, Elizabeth  
Cushing, Robert Jr  
Flockhart, Eileen  
Heffron, Frank  
Lovejoy, Patricia  
Muns, Chris  
Pantelakos, Laura  
Thompson, David  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Kaen, Naida  
Mullen, John Jr  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Grossman, Kenneth  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Menear, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

### NAYS 126

### BELKNAP

Burchell, Richard  
Fink, Charles  
Worsman, Colette

Comtois, Guy  
Greemore, Robert Jr

Cormier, Jane  
Holmes, Stephen

Fields, Dennis  
Luther, Robert

### CARROLL

Ahlgren, Christopher  
Schmidt, Stephen

Cordelli, Glenn  
White, Sydni

McConkey, Mark  
Wright, Donald

Nelson, Bill

**CHESHIRE**

Hunt, John

Roberts, Kris

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad

Bradley, Lester

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
 Byron, Frank  
 Danielson, David  
 Hansen, Peter  
 Jasper, Shawn  
 LeVasseur, Richard  
 Murphy, Keith  
 Ober, Lynne  
 Pellegrino, Tony  
 Sanborn, Laurie  
 Sullivan, Peter  
 Villeneuve, Moe

Belanger, James  
 Cebrowski, John  
 Gagne, Larry  
 Hikel, John  
 Kurk, Neal  
 Marston, Dick  
 Notter, Jeanine  
 Ober, Russell III  
 Peterson, Lenette  
 Sandblade, Emily  
 Takesian, Charlene  
 Warden, Mark

Boehm, Ralph  
 Culbert, Patrick  
 Garcia, Michael  
 Hopper, Gary  
 Lambert, George  
 McCarthy, Michael  
 O'Brien, William  
 Palmer, Stephen  
 Pratt, Calvin  
 Shaw, Barbara  
 Ulery, Jordan  
 Willette, Robert

Burt, John  
 Daniels, Gary  
 Graham, John  
 Infantine, William  
 LeBrun, Donald  
 Meaney, Richard  
 O'Flaherty, Tim  
 Parison, James  
 Renzullo, Andrew  
 Straight, Philip  
 Vaillancourt, Steve  
 Winters, Joel

**MERRIMACK**

Hoell, J.R.  
 McGuire, Carol

Kidder, David  
 McGuire, Dan

Kotowski, Frank  
 Smith, Todd

Lockwood, Priscilla

**ROCKINGHAM**

Abrami, Patrick  
 Bick, Patrick  
 Comerford, Timothy  
 Emerick, J. Tracy  
 Gordon, Richard  
 Introne, Robert  
 McKinney, Betsy  
 Sanders, Elisabeth  
 Sedensky, John  
 Tasker, Kyle  
 Weyler, Kenneth

Allen, Mary  
 Birdsell, Regina  
 DeSimone, Debra  
 Fesh, Robert  
 Hagan, Joseph  
 Itse, Daniel  
 McMahon, Charles  
 Sapareto, Frank  
 St.James, Kevin  
 Tucker, Pamela

Baldasaro, Alfred  
 Charron, Gene  
 Duarte, Joe  
 Garcia, Bianca  
 Harris, Jeffrey  
 Kappler, Lawrence  
 Milz, David  
 Scarlotto, Joe  
 Sytek, John  
 Waterhouse, Kevin

Belanger, Ronald  
 Chirichiello, Brian  
 Dumaine, Dudley  
 Garcia, Marilinda  
 Hodgdon, Bruce  
 Kolodziej, Walter  
 Rice, Frederick  
 Schroadter, Adam  
 Tamburello, Daniel  
 Webb, James Sr

**STRAFFORD**

Groen, Warren

Jones, Laura

Pitre, Joseph

**SULLIVAN**

Osgood, Joe

Rollins, Skip

Smith, Steven

and the Committee of Conference Report was adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration. (Report printed SJ 6-26-13)

Committee of Conference Report adopted.

Rep. Moffett declared a conflict of interest and did not participate.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 253**, relative to limitations on sales by nano breweries for consumption on the premises.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 253**, relative to limitations on sales by nano breweries for consumption on the premises. (Report printed SJ 6-26-13)

Committee of Conference Report adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 260-FN**, relative to the children in need of services (CHINS) program.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 260-FN**, relative to the children in need of services (CHINS) program. (Report printed SJ 6-26-13)

Committee of Conference Report adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 295**, requiring criminal background checks for volunteers and employees at youth skill camps.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 295**, requiring criminal background checks for volunteers and employees at youth skill camps. (Report printed SJ 6-26-13)

Rep. Tamburello requested a roll call; sufficiently seconded.

**YEAS 241 NAYS 114****YEAS 241****BELKNAP**

DiMartino, Lisa  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
Schmidt, Stephen

Butler, Edward  
Ticehurst, Susan

Crawford, Karel  
Umberger, Karen

Morrow, Harry  
White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie

Butynski, William  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

Benn, Bernard  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Bradley, Lester  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Boisvert, Ronald

Barry, Richard  
Brown, Pamela

Beaulieu, Jane  
Campbell, David

Belanger, James  
Carroll, Douglas



Chandley, Shannon  
Cote, David  
Flanagan, Jack  
Goley, Jeffrey  
Hammond, Jill  
Jasper, Shawn  
Leishman, Peter  
Long, Patrick  
McCloskey, David  
O'Neil, William  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

Christiansen, Lars  
Danielson, David  
Gage, Ruth  
Gorman, Mary  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levasseur, Nickolas  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Coffey, James  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Heden, Ruth  
Kopka, Angeline  
LeVasseur, Richard  
Manley, Jonathan Sr  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Takesian, Charlene  
Woodbury, David

Connor, Evelyn  
Eaton, Richard  
Gargas, Carolyn  
Haefner, Robert  
Jack, Martin  
LeBrun, Donald  
Levesque, Melanie  
McCarthy, Michael  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne

### MERRIMACK

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Kotowski, Frank  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
Briden, Steven  
Copeland, Timothy  
Dumaine, Dudley  
Flockhart, Eileen  
Heffron, Frank  
Major, Norman  
Muns, Chris  
Schlachman, Donna  
Till, Mary

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Cushing, Robert Jr  
Elliott, Robert  
Grace, Curtis  
Helmstetter, Barbara  
Mann, Maureen  
Nigrello, Robert  
Sherman, Thomas  
Ward, Gerald

Belanger, Ronald  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Emerick, J. Tracy  
Harris, Jeffrey  
Khan, Aboul  
McKinney, Betsy  
Pantelakos, Laura  
St.James, Kevin  
Wazlaw, Brian

Borden, David  
Charron, Gene  
Devine, James  
Emerson-Brown, Rebecca  
Hayes, Jack  
Lovejoy, Patricia  
Moody, Marcia  
Scarlott, Joe  
Sweeney, Joe  
Whittemore, Lisa

### STRAFFORD

Baber, William  
Burke, Rachel  
Gray, James  
Kaen, Naida  
Mullen, John Jr  
Rollo, Deanna  
Spang, Judith  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Grossman, Kenneth  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Bixby, Peter  
Ginsburg, Philip  
Hooper, Dorothea  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Verschueren, James

Burdwood, Greg  
Grassie, Anne  
Horrigan, Timothy  
Menear, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

### NAYS 114

### BELKNAP

Burchell, Richard  
Fink, Charles  
Vadney, Herbert

Comtois, Guy  
Greemore, Robert Jr  
Worsman, Colette

Cormier, Jane  
Holmes, Stephen

Fields, Dennis  
Luther, Robert

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Wright, Donald

Lavender, Tom

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad

Doolan, Ralph Jr

**HILLSBOROUGH**

Boehm, Ralph  
Culbert, Patrick  
Graham, John  
Hopper, Gary  
Marston, Dick  
Notter, Jeanine  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Ulery, Jordan  
Willette, Robert

Burt, John  
Daniels, Gary  
Hansen, Peter  
Infantine, William  
Meaney, Richard  
O'Brien, William  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Vaillancourt, Steve  
Winters, Joel

Byron, Frank  
Gagne, Larry  
Hikel, John  
Kurk, Neal  
Murotake, David  
O'Flaherty, Tim  
Parison, James  
Renzullo, Andrew  
Straight, Philip  
Villeneuve, Moe

Cebrowski, John  
Garcia, Michael  
Hinch, Richard  
Lambert, George  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Stroud, Kathleen  
Warden, Mark

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Smith, Todd

Lockwood, Priscilla

McGuire, Carol

**ROCKINGHAM**

Allen, Mary  
Burtis, Elizabeth  
Fesh, Robert  
Griffin, Mary  
Introne, Robert  
McMahon, Charles  
Rice, Frederick  
Sedensky, John  
Thompson, David  
Weyler, Kenneth

Baldasaro, Alfred  
Chirichiello, Brian  
Garcia, Bianca  
Hagan, Joseph  
Itse, Daniel  
Milz, David  
Sanders, Elisabeth  
Sytek, John  
Tucker, Pamela

Bick, Patrick  
Comerford, Timothy  
Garcia, Marilinda  
Hodgdon, Bruce  
Kappler, Lawrence  
O'Connor, John  
Sapareto, Frank  
Tamburello, Daniel  
Waterhouse, Kevin

Birdsell, Regina  
Duarte, Joe  
Gordon, Richard  
Hoelzel, Kathleen  
Kolodziej, Walter  
Packard, Sherman  
Schroader, Adam  
Tasker, Kyle  
Webb, James Sr

**STRAFFORD**

Groen, Warren

Jones, Laura

Pitre, Joseph

**SULLIVAN**

Osgood, Joe

Rollins, Skip

Smith, Steven

and the Committee of Conference Report was adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 385**, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 385**, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. (Report printed SJ 6-26-13)  
Committee of Conference Report adopted.

**SENATE MESSAGE**  
**ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 472**, relative to residential units in rooming houses.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 472**, relative to residential units in rooming houses. (Report printed SJ 6-26-13)  
 Rep. Carol McGuire requested a roll call; sufficiently seconded.

**YEAS 235 NAYS 119**

**YEAS 235**

**BELKNAP**

DiMartino, Lisa  
 Huot, David

Fields, Dennis  
 Raymond, Ian

Flanders, Donald  
 Tilton, Franklin

Gulick, Ruth

**CARROLL**

Buco, Thomas  
 Lavender, Tom  
 Ticehurst, Susan

Butler, Edward  
 McConkey, Mark  
 Umberger, Karen

Chandler, Gene  
 Merrow, Harry  
 White, Syndi

Crawford, Karel  
 Schmidt, Stephen

**CHESHIRE**

Ames, Richard  
 Chase, Cynthia  
 Ley, Douglas  
 Robertson, Timothy  
 Weber, Lucy

Berch, Paul  
 Eaton, Daniel  
 Mann, John  
 Sad, Tara  
 Weed, Charles

Burridge, Delmar  
 Emerson, Susan  
 Parkhurst, Henry  
 Shepardson, Marjorie

Butynski, William  
 Johnsen, Gladys  
 Roberts, Kris  
 Tatro, Bruce

**COOS**

Coulombe, Gary  
 Moynihan, Wayne

Enman, Larry  
 Theberge, Robert

Hammon, Marcia  
 Thomas, Yvonne

Hatch, William

**GRAFTON**

Aguir, James  
 Bradley, Lester  
 Friedrich, Carol  
 Lauer, Linda  
 Nordgren, Sharon  
 Smith, Suzanne

Almy, Susan  
 Brown, Rebecca  
 Harding, Laurie  
 Lovett, Sid  
 Pastor, Beatriz  
 Sykes, George

Bailey, Brad  
 Cooney, Mary  
 Higgins, Patricia  
 Massimilla, Linda  
 Reilly, Harold Sr  
 Townsend, Charles

Benn, Bernard  
 Ford, Susan  
 Ladd, Rick Jr  
 Mulholland, Catherine  
 Shackett, Jeffrey  
 White, Andrew

**HILLSBOROUGH**

Backus, Robert  
 Brown, Pamela  
 Coffey, James  
 DiSilvestro, Linda  
 Gale, Sylvia  
 Grady, Brenda  
 Harriott-Gathright, Linda  
 Kopka, Angelina  
 Long, Patrick  
 McNamara, Richard  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Smith, Timothy  
 Sullivan, Peter  
 Willette, Robert

Beaulieu, Jane  
 Campbell, David  
 Connor, Evelyn  
 Eaton, Richard  
 Gargas, Carolyn  
 Graham, John  
 Heden, Ruth  
 Leishman, Peter  
 MacKay, Mariellen  
 Nelson, Mary  
 Ramsey, Peter  
 Schmidt, Janice  
 Soucy, Timothy  
 Takesian, Charlene  
 Williams, Kermit

Belanger, James  
 Chandley, Shannon  
 Cote, David  
 Flanagan, Jack  
 Goley, Jeffrey  
 Haefner, Robert  
 Jack, Martin  
 LeVasseur, Richard  
 Manley, Jonathan Sr  
 O'Brien, Michael Sr  
 Rhodes, Brian  
 Shattuck, Gilman  
 Spratt, Stephen  
 Vail, Suzanne  
 Winters, Joel

Boisvert, Ronald  
 Christiansen, Lars  
 Danielson, David  
 Gage, Ruth  
 Gorman, Mary  
 Hammond, Jill  
 Knowles, Mary Ann  
 Levesque, Melanie  
 McCloskey, David  
 O'Neil, William  
 Rokas, Ted  
 Shaw, Barbara  
 Sullivan, Daniel  
 Walsh, Robert Jr  
 Woodbury, David

**MERRIMACK**

Alicea, Caroletta  
 Burns, Scott

Andrews, Christopher  
 Carey, Lorrie

Bartlett, Christy  
 Carson, Clyde

Bouchard, Candace  
 Davis, Frank

Ebel, Karen  
 Gile, Mary  
 Kelly, Sally  
 Myler, Mel  
 Richardson, Gary  
 Tilton, Joy  
 Watrous, Rick

Frambach, Mary  
 Hess, David  
 Lockwood, Priscilla  
 Patten, Dick  
 Rogers, Katherine  
 Turcotte, Alan  
 Webb, Leigh

Frazer, June  
 Hirsch, Geoffrey  
 MacKay, James  
 Ratzki, Mario  
 Schuett, Dianne  
 Wallner, Mary Jane

French, Barbara  
 Karrick, David Jr  
 Moffett, Howard  
 Rice, Chip  
 Shurtleff, Stephen  
 Walz, Mary Beth

## ROCKINGHAM

Allen, Mary  
 Briden, Steven  
 Charron, Gene  
 DeSimone, Debra  
 Flockhart, Eileen  
 Hoelzel, Kathleen  
 McKinney, Betsy  
 Packard, Sherman  
 Sherman, Thomas

Andrews-Ahearn, E. Elaine  
 Burtis, Elizabeth  
 Chirichiello, Brian  
 Elliott, Robert  
 Hayes, Jack  
 Khan, Aboul  
 Moody, Marcia  
 Pantelakos, Laura  
 Till, Mary

Belanger, Ronald  
 Cahill, Michael  
 Copeland, Timothy  
 Emerson-Brown, Rebecca  
 Heffron, Frank  
 Lovejoy, Patricia  
 Muns, Chris  
 Sanders, Elisabeth  
 Ward, Gerald

Borden, David  
 Cali-Pitts, Jacqueline  
 Cushing, Robert Jr  
 Fesh, Robert  
 Helmstetter, Barbara  
 Mann, Maureen  
 Nigrello, Robert  
 Schlachman, Donna  
 Whittemore, Lisa

## STRAFFORD

Baber, William  
 Burke, Rachel  
 Grossman, Kenneth  
 Ketel, Stephen  
 Pelletier, Marsha  
 Schmidt, Peter  
 Stevens, Audrey

Berube, Roger  
 Gardner, Janice  
 Hooper, Dorothea  
 Malloy, Dennis  
 Perry, Robert  
 Smith, Marjorie  
 Verschueren, James

Bixby, Peter  
 Ginsburg, Philip  
 Horrigan, Timothy  
 Menear, H. Robert III  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Burdwood, Greg  
 Grassie, Anne  
 Kaen, Naida  
 Mullen, John Jr  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

## SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Sweeney, Cynthia

Gagnon, Raymond  
 O'Hearne, Andrew  
 Tanner, Linda

Gottling, Suzanne  
 Schmidt, Andrew

Grenier, James  
 Smith, Steven

## NAYS 119

### BELKNAP

Burchell, Richard  
 Greemore, Robert Jr  
 Worsman, Colette

Comtois, Guy  
 Holmes, Stephen

Cormier, Jane  
 Luther, Robert

Fink, Charles  
 Vadney, Herbert

## CARROLL

Ahlgren, Christopher

Cordelli, Glenn

Nelson, Bill

Wright, Donald

## CHESHIRE

Hunt, John

Johnson, Jane

## COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

## GRAFTON

Doolan, Ralph Jr

Gionet, Edmond

Piper, Wendy

## HILLSBOROUGH

Barry, Richard  
 Carroll, Douglas  
 Gagne, Larry  
 Hinch, Richard  
 Kurk, Neal

Boehm, Ralph  
 Cebrowski, John  
 Garcia, Michael  
 Hopper, Gary  
 Lambert, George

Burt, John  
 Culbert, Patrick  
 Hansen, Peter  
 Infantine, William  
 LeBrun, Donald

Byron, Frank  
 Daniels, Gary  
 Hikel, John  
 Jasper, Shawn  
 Levasseur, Nickolas

Marston, Dick  
 Murphy, Keith  
 Ober, Lynne  
 Pellegrino, Tony  
 Rowe, Robert  
 Stroud, Kathleen  
 Warden, Mark

McCarthy, Michael  
 Notter, Jeanine  
 Ober, Russell III  
 Peterson, Lenette  
 Sanborn, Laurie  
 Ulerly, Jordan

Meaney, Richard  
 O'Brien, William  
 Palmer, Stephen  
 Pratt, Calvin  
 Sandblade, Emily  
 Vaillancourt, Steve

Murotake, David  
 O'Flaherty, Tim  
 Parison, James  
 Renzullo, Andrew  
 Straight, Philip  
 Villeneuve, Moe

### MERRIMACK

Hoell, J.R.  
 McGuire, Dan

Kidder, David  
 Schamberg, Thomas

Kotowski, Frank  
 Smith, Todd

McGuire, Carol

### ROCKINGHAM

Abrami, Patrick  
 Comerford, Timothy  
 Emerick, J. Tracy  
 Grace, Curtis  
 Hodgdon, Bruce  
 Kolodziej, Walter  
 O'Connor, John  
 Schroadter, Adam  
 Sytek, John  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Devine, James  
 Garcia, Bianca  
 Griffin, Mary  
 Introne, Robert  
 Major, Norman  
 Rice, Frederick  
 Sedensky, John  
 Tamburello, Daniel  
 Wazlaw, Brian

Bick, Patrick  
 Duarte, Joe  
 Garcia, Marilinda  
 Hagan, Joseph  
 Itse, Daniel  
 McMahon, Charles  
 Sapareto, Frank  
 St.James, Kevin  
 Thompson, David  
 Webb, James Sr

Birdsell, Regina  
 Dumaine, Dudley  
 Gordon, Richard  
 Harris, Jeffrey  
 Kappler, Lawrence  
 Milz, David  
 Scarlotto, Joe  
 Sweeney, Joe  
 Tucker, Pamela  
 Weyler, Kenneth

### STRAFFORD

Gray, James

Groen, Warren

Jones, Laura

Pitre, Joseph

### SULLIVAN

Osgood, Joe  
 and the Committee of Conference Report was adopted.

Rollins, Skip

## SENATE MESSAGE

### ADOPTION OF COMMITTEE OF CONFERENCE REPORT

**HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purpose of the veterans' tax credit.

### COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL

**HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purpose of the veterans' tax credit. (Report printed SJ 6-26-13)  
 Committee of Conference Report adopted.

## SENATE MESSAGE

### ADOPTION OF COMMITTEE OF CONFERENCE REPORT

**HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit.

### COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL

**HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit. (Report printed SJ 6-26-13)  
 Committee of Conference Report adopted.

## SENATE MESSAGE

### ADOPTION OF COMMITTEE OF CONFERENCE REPORT

**HB 542**, relative to electric renewable portfolio standards.

### COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL

**HB 542**, relative to electric renewable portfolio standards. (Report printed SJ 6-26-13)  
 Committee of Conference Report adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT****HB 546**, relative to medical examinations under workers' compensation.**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL****HB 546**, relative to medical examinations under workers' compensation. (Report printed SJ 6-26-13)  
Committee of Conference Report adopted.**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT****HB 573-FN**, relative to the use of cannabis for therapeutic purposes.**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL****HB 573-FN**, relative to the use of cannabis for therapeutic purposes. (Report printed SJ 6-26-13)  
Rep. Flanagan requested a roll call; sufficiently seconded.**YEAS 284 NAYS 66****YEAS 284****BELKNAP**

Burchell, Richard	Comtois, Guy	DiMartino, Lisa	Fields, Dennis
Fink, Charles	Greemore, Robert Jr	Gulick, Ruth	Huot, David
Luther, Robert	Raymond, Ian	Vadney, Herbert	

**CARROLL**

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Crawford, Karel
Lavender, Tom	McConkey, Mark	Morrow, Harry	Schmidt, Stephen
Ticehurst, Susan	Umberger, Karen	White, Syndi	Wright, Donald

**CHESHIRE**

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Johnsen, Gladys
Ley, Douglas	Mann, John	Robertson, Timothy	Sad, Tara
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	Weed, Charles

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Rideout, Leon	Theberge, Robert	Thomas, Yvonne

**GRAFTON**

Aguiar, James	Almy, Susan	Bailey, Brad	Benn, Bernard
Brown, Rebecca	Cooney, Mary	Doolan, Ralph Jr	Ford, Susan
Friedrich, Carol	Gionet, Edmond	Harding, Laurie	Higgins, Patricia
Lauer, Linda	Lovett, Sid	Massimilla, Linda	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Belanger, James
Boisvert, Ronald	Brown, Pamela	Burt, John	Campbell, David
Carroll, Douglas	Chandley, Shannon	Christiansen, Lars	Coffey, James
Connor, Evelyn	Cote, David	Culbert, Patrick	Danielson, David
DiSilvestro, Linda	Eaton, Richard	Gage, Ruth	Gagne, Larry
Gale, Sylvia	Garcia, Michael	Gargas, Carolyn	Goley, Jeffrey
Gorman, Mary	Grady, Brenda	Hammond, Jill	Harriott-Gathright, Linda
Heden, Ruth	Hikel, John	Hopper, Gary	Infantine, William
Jack, Martin	Knowles, Mary Ann	Kopka, Angeline	Kurk, Neal

Lambert, George  
 Levesque, Melanie  
 McCloskey, David  
 Murphy, Keith  
 O'Flaherty, Tim  
 Peterson, Lenette  
 Renzullo, Andrew  
 Sandblade, Emily  
 Smith, Timothy  
 Sullivan, Daniel  
 Vail, Suzanne  
 Warden, Mark  
 Woodbury, David

LeBrun, Donald  
 Long, Patrick  
 McNamara, Richard  
 Notter, Jeanine  
 O'Neil, William  
 Porter, Marjorie  
 Rhodes, Brian  
 Schmidt, Janice  
 Soucy, Timothy  
 Sullivan, Peter  
 Vaillancourt, Steve  
 Willette, Robert

Leishman, Peter  
 MacKay, Mariellen  
 Meaney, Richard  
 O'Brien, Michael Sr  
 Ober, Lynne  
 Pratt, Calvin  
 Rokas, Ted  
 Shattuck, Gilman  
 Spratt, Stephen  
 Takesian, Charlene  
 Villeneuve, Moe  
 Williams, Kermit

Levasseur, Nickolas  
 Manley, Jonathan Sr  
 Murotake, David  
 O'Brien, William  
 Parison, James  
 Ramsey, Peter  
 Rosenwald, Cindy  
 Shaw, Barbara  
 Stroud, Kathleen  
 Ulery, Jordan  
 Walsh, Robert Jr  
 Winters, Joel

### MERRIMACK

Alicea, Caroletta  
 Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Kelly, Sally  
 McGuire, Carol  
 Patten, Dick  
 Schamberg, Thomas  
 Turcotte, Alan

Andrews, Christopher  
 Carey, Lorrie  
 Frambach, Mary  
 Hirsch, Geoffrey  
 Kidder, David  
 McGuire, Dan  
 Ratzki, Mario  
 Schuett, Dianne  
 Wallner, Mary Jane

Bartlett, Christy  
 Carson, Clyde  
 Frazer, June  
 Hoell, J.R.  
 Lockwood, Priscilla  
 Moffett, Howard  
 Rice, Chip  
 Shurtleff, Stephen  
 Walz, Mary Beth

Bouchard, Candace  
 Davis, Frank  
 French, Barbara  
 Karrick, David Jr  
 MacKay, James  
 Myler, Mel  
 Richardson, Gary  
 Tilton, Joy  
 Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
 Burtis, Elizabeth  
 Chirichiello, Brian  
 Duarte, Joe  
 Fesh, Robert  
 Heffron, Frank  
 Major, Norman  
 Milz, David  
 O'Connor, John  
 Scarlotto, Joe  
 Sherman, Thomas  
 Tamburello, Daniel  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Cahill, Michael  
 Comerford, Timothy  
 Elliott, Robert  
 Flockhart, Eileen  
 Helmstetter, Barbara  
 Mann, Maureen  
 Moody, Marcia  
 Pantelakos, Laura  
 Schlachman, Donna  
 St.James, Kevin  
 Thompson, David  
 Wazlaw, Brian

Borden, David  
 Cali-Pitts, Jacqueline  
 Cushing, Robert Jr  
 Emerick, J. Tracy  
 Grace, Curtis  
 Itse, Daniel  
 McKinney, Betsy  
 Muns, Chris  
 Rice, Frederick  
 Schroadter, Adam  
 Sweeney, Joe  
 Till, Mary  
 Webb, James Sr

Briden, Steven  
 Charron, Gene  
 DeSimone, Debra  
 Emerson-Brown, Rebecca  
 Hayes, Jack  
 Lovejoy, Patricia  
 McMahon, Charles  
 Nigrello, Robert  
 Sapareto, Frank  
 Sedensky, John  
 Sytek, John  
 Ward, Gerald  
 Whittemore, Lisa

### STRAFFORD

Baber, William  
 Gardner, Janice  
 Grossman, Kenneth  
 Kaen, Naida  
 Mullen, John Jr  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Wall, Janet

Bixby, Peter  
 Ginsburg, Philip  
 Hooper, Dorothea  
 Ketel, Stephen  
 Pelletier, Marsha  
 Rollo, Deanna  
 Spang, Judith  
 Ward, Kenneth

Burdwood, Greg  
 Grassie, Anne  
 Horrigan, Timothy  
 Malloy, Dennis  
 Perry, Robert  
 Schmidt, Peter  
 Stevens, Audrey

Burke, Rachel  
 Gray, James  
 Jones, Laura  
 Menear, H. Robert III  
 Pitre, Joseph  
 Smith, Marjorie  
 Verschueren, James

### SULLIVAN

Cloutier, John  
 Irwin, Virginia  
 Smith, Steven

Gagnon, Raymond  
 O'Hearne, Andrew  
 Sweeney, Cynthia

Gottling, Suzanne  
 Rollins, Skip  
 Tanner, Linda

Grenier, James  
 Schmidt, Andrew

### NAYS 66 BELKNAP

Cormier, Jane  
 Worsman, Colette

Flanders, Donald

Holmes, Stephen

Tilton, Franklin

**CARROLL**

Chandler, Gene	Cordelli, Glenn	Nelson, Bill
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**CHESHIRE**

Hunt, John	Johnson, Jane	Parkhurst, Henry
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**COOS**

Rappaport, Laurence	Richardson, Herbert
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**GRAFTON**

Bradley, Lester	Ladd, Rick Jr	Piper, Wendy	Reilly, Harold Sr
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**HILLSBOROUGH**

Boehm, Ralph	Byron, Frank	Cebrowski, John	Daniels, Gary
Flanagan, Jack	Graham, John	Haefner, Robert	Hansen, Peter
Hinch, Richard	Jasper, Shawn	LeVasseur, Richard	Marston, Dick
McCarthy, Michael	Nelson, Mary	Palmer, Stephen	Pellegrino, Tony
Rowe, Robert	Sanborn, Laurie	Straight, Philip	

**MERRIMACK**

Hess, David	Kotowski, Frank	Rogers, Katherine	Webb, Leigh
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**ROCKINGHAM**

Abrami, Patrick	Allen, Mary	Bick, Patrick	Birdsell, Regina
Copeland, Timothy	Devine, James	Dumaine, Dudley	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Griffin, Mary	Hagan, Joseph
Harris, Jeffrey	Hodgdon, Bruce	Hoelzel, Kathleen	Introne, Robert
Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter	Packard, Sherman
Sanders, Elisabeth	Tucker, Pamela	Weyler, Kenneth	

**STRAFFORD**

Berube, Roger	Groen, Warren
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**SULLIVAN**

Osgood, Joe  
and the Committee of Conference Report was adopted.  
Rep. Tasker did not vote and notified the Clerk that he wished to be recorded in favor.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 594-FN**, relative to the general consumer credit laws of the state.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 594-FN**, relative to the general consumer credit laws of the state. (Report printed SJ 6-26-13)  
Committee of Conference Report adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT**

**HB 595-FN**, relative to photo identification of voters.

**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL**

**HB 595-FN**, relative to photo identification of voters. (Report printed SJ 6-26-13)  
Reps. Marston, Lambert and Tucker spoke against.  
Rep. Gary Richardson spoke in favor.  
Rep. Itse spoke against, yielded to questions and requested a roll call; sufficiently seconded.



**YEAS 231 NAYS 121****YEAS 231****BELKNAP**

DiMartino, Lisa  
Raymond, Ian

Fields, Dennis

Gulick, Ruth

Huot, David

**CARROLL**

Ahlgren, Christopher  
Ticehurst, Susan

Buco, Thomas  
Umberger, Karen

Butler, Edward  
White, Syndi

Lavender, Tom

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Burridge, Delmar  
Emerson, Susan  
Parkhurst, Henry  
Shepardson, Marjorie

Butynski, William  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Bailey, Brad  
Cooney, Mary  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Doolan, Ralph Jr  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Christiansen, Lars  
DiSilvestro, Linda  
Garcia, Michael  
Grady, Brenda  
Jack, Martin  
Leishman, Peter  
MacKay, Mariellen  
Murotake, David  
O'Neil, William  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vaillancourt, Steve  
Winters, Joel

Beaulieu, Jane  
Campbell, David  
Coffey, James  
Eaton, Richard  
Gargas, Carolyn  
Hammond, Jill  
Jasper, Shawn  
Levasseur, Nickolas  
Manley, Jonathan Sr  
Nelson, Mary  
Ober, Russell III  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr  
Woodbury, David

Belanger, James  
Carroll, Douglas  
Connor, Evelyn  
Gage, Ruth  
Goley, Jeffrey  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
Levesque, Melanie  
McCloskey, David  
O'Brien, Michael Sr  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Warden, Mark

Boisvert, Ronald  
Chandley, Shannon  
Cote, David  
Gale, Sylvia  
Gorman, Mary  
Heden, Ruth  
Kopka, Angeline  
Long, Patrick  
McNamara, Richard  
O'Flaherty, Tim  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kidder, David  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Karrick, David Jr  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Kelly, Sally  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Belanger, Ronald	Borden, David	Briden, Steven
Burtis, Elizabeth	Cahill, Michael	Cali-Pitts, Jacqueline	Copeland, Timothy
Cushing, Robert Jr	DeSimone, Debra	Emerson-Brown, Rebecca	Flockhart, Eileen
Heffron, Frank	Helmstetter, Barbara	Hoelzel, Kathleen	Lovejoy, Patricia
Major, Norman	Mann, Maureen	McKinney, Betsy	Moody, Marcia
Muns, Chris	Pantelakos, Laura	Scarlottio, Joe	Schlachman, Donna
Sherman, Thomas	St.James, Kevin	Sweeney, Joe	Till, Mary
Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa	

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Ginsburg, Philip	Grassie, Anne
Gray, James	Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy
Jones, Laura	Kaen, Naida	Ketel, Stephen	Malloy, Dennis
Menear, H. Robert III	Pelletier, Marsha	Perry, Robert	Rogers, Rose Marie
Rollo, Deanna	Schmidt, Peter	Smith, Marjorie	Spainhower, Dale
Spang, Judith	Stevens, Audrey	Verschueren, James	Wall, Janet
Ward, Kenneth			

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Grenier, James
Irwin, Virginia	O'Hearne, Andrew	Schmidt, Andrew	Smith, Steven
Sweeney, Cynthia	Tanner, Linda		

**NAYS 121****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fink, Charles
Flanders, Donald	Greemore, Robert Jr	Holmes, Stephen	Luther, Robert
Tilton, Franklin	Vadney, Herbert	Worsman, Colette	

**CARROLL**

Chandler, Gene	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Merrow, Harry	Nelson, Bill	Schmidt, Stephen	Wright, Donald

**CHESHIRE**

Hunt, John	Johnson, Jane
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**COOS**

Rappaport, Laurence	Rideout, Leon
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**GRAFTON**

Gionet, Edmond	Reilly, Harold Sr
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**HILLSBOROUGH**

Barry, Richard	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Culbert, Patrick	Daniels, Gary	Danielson, David
Flanagan, Jack	Gagne, Larry	Graham, John	Haefner, Robert
Hansen, Peter	Hikel, John	Hinch, Richard	Hopper, Gary
Infantine, William	Kurk, Neal	Lambert, George	LeBrun, Donald
LeVasseur, Richard	Marston, Dick	McCarthy, Michael	Meaney, Richard
Murphy, Keith	Notter, Jeanine	O'Brien, William	Ober, Lynne
Palmer, Stephen	Parison, James	Pellegrino, Tony	Peterson, Lenette
Pratt, Calvin	Renzullo, Andrew	Rowe, Robert	Sanborn, Laurie
Sandblade, Emily	Straight, Philip	Stroud, Kathleen	Takesian, Charlene
Ulery, Jordan	Villeneuve, Moe	Willette, Robert	

**MERRIMACK**

Hess, David

Hoell, J.R.

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick

Birdsell, Regina

Devine, James

Emerick, J. Tracy

Gordon, Richard

Harris, Jeffrey

Itse, Daniel

McMahon, Charles

Packard, Sherman

Schroadter, Adam

Tucker, Pamela

Allen, Mary

Charron, Gene

Duarte, Joe

Fesh, Robert

Grace, Curtis

Hayes, Jack

Kappler, Lawrence

Milz, David

Rice, Frederick

Sedensky, John

Waterhouse, Kevin

Baldasaro, Alfred

Chirichiello, Brian

Dumaine, Dudley

Garcia, Bianca

Griffin, Mary

Hodgdon, Bruce

Khan, Aboul

Nigrello, Robert

Sanders, Elisabeth

Sytek, John

Webb, James Sr

Bick, Patrick

Comerford, Timothy

Elliott, Robert

Garcia, Marilinda

Hagan, Joseph

Introne, Robert

Kolodziej, Walter

O'Connor, John

Sapareto, Frank

Tamburello, Daniel

Weyler, Kenneth

**STRAFFORD**

Groen, Warren

Mullen, John Jr

Pitre, Joseph

**SULLIVAN**

Osgood, Joe

Rollins, Skip

and the Committee of Conference Report was adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT****HB 599-FN**, relative to establishing a single liquor commissioner.**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL****HB 599-FN**, relative to establishing a single liquor commissioner. (Report printed SJ 6-26-13)

Rep. Robertson spoke against.

Rep. Weber spoke in favor.

Rep. Boisvert requested a roll call; not sufficiently seconded.

On a division vote, 316 members having voted in the affirmative and 23 in the negative, the Committee of Conference Report was adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT****HB 635**, establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas.**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL****HB 635**, establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas. (Report printed SJ 6-26-13)

Committee of Conference Report adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORT****HB 664-FN**, relative to the New Hampshire vaccine association.**COMMITTEE OF CONFERENCE REPORT ON HOUSE BILL****HB 664-FN**, relative to the New Hampshire vaccine association. (Report printed SJ 6-26-13)

Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 235 NAYS 115****YEAS 235****BELKNAP**

DiMartino, Lisa

Huot, David

Fields, Dennis

Raymond, Ian

Flanders, Donald

Tilton, Franklin

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Morrow, Harry

Butler, Edward  
Schmidt, Stephen

Crawford, Karel  
Ticehurst, Susan

Lavender, Tom  
White, Syndi

**CHESHIRE**

Ames, Richard  
Chase, Cynthia  
Johnsen, Gladys  
Roberts, Kris  
Tatro, Bruce

Berch, Paul  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Burridge, Delmar  
Emerson, Susan  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Hunt, John  
Parkhurst, Henry  
Shepardson, Marjorie

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Aguiar, James  
Brown, Rebecca  
Gionet, Edmond  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Almy, Susan  
Cooney, Mary  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Bailey, Brad  
Ford, Susan  
Higgins, Patricia  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Friedrich, Carol  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Kopka, Angeline  
LeVasseur, Richard  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Takesian, Charlene  
Woodbury, David

Barry, Richard  
Byron, Frank  
Coffey, James  
Eaton, Richard  
Gargas, Carolyn  
Graham, John  
Heden, Ruth  
Kurk, Neal  
Levesque, Melanie  
McCloskey, David  
O'Flaherty, Tim  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne

Beaulieu, Jane  
Campbell, David  
Connor, Evelyn  
Flanagan, Jack  
Goley, Jeffrey  
Haefner, Robert  
Jack, Martin  
Leishman, Peter  
Long, Patrick  
McNamara, Richard  
O'Neil, William  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

Boisvert, Ronald  
Carroll, Douglas  
Cote, David  
Gage, Ruth  
Gorman, Mary  
Hammond, Jill  
Knowles, Mary Ann  
Levasseur, Nickolas  
MacKay, Mariellen  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Burns, Scott  
Ebel, Karen  
Gile, Mary  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Andrews, Christopher  
Carey, Lorrie  
Frambach, Mary  
Hess, David  
Kidder, David  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Walz, Mary Beth

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Turcotte, Alan  
Webb, Leigh

**ROCKINGHAM**

Abrami, Patrick  
Briden, Steven  
Charron, Gene  
Devine, James

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Chirichiello, Brian  
Emerson-Brown, Rebecca

Belanger, Ronald  
Cahill, Michael  
Copeland, Timothy  
Flockhart, Eileen

Borden, David  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Harris, Jeffrey

Heffron, Frank  
Major, Norman  
Moody, Marcia  
Pantelakos, Laura  
Sweeney, Joe  
Whittemore, Lisa

Helmstetter, Barbara  
Mann, Maureen  
Muns, Chris  
Scarlotto, Joe  
Till, Mary

Hoelzel, Kathleen  
McKinney, Betsy  
Nigrello, Robert  
Schlachman, Donna  
Ward, Gerald

Lovejoy, Patricia  
McMahon, Charles  
O'Connor, John  
Sherman, Thomas  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Stevens, Audrey

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Menear, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale  
Ward, Kenneth

Burdwood, Greg  
Grassie, Anne  
Kaen, Naida  
Mullen, John Jr  
Rollo, Deanna  
Spang, Judith

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

### NAYS 115

#### BELKNAP

Burchell, Richard  
Greemore, Robert Jr  
Worsman, Colette

Comtois, Guy  
Holmes, Stephen

Cornier, Jane  
Luther, Robert

Fink, Charles  
Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
Nelson, Bill

Chandler, Gene  
Umberger, Karen

Cordelli, Glenn  
Wright, Donald

McConkey, Mark

### CHESHIRE

Johnson, Jane

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bradley, Lester

Doolan, Ralph Jr

Ladd, Rick Jr

Reilly, Harold Sr

### HILLSBOROUGH

Belanger, James  
Christiansen, Lars  
Gagne, Larry  
Hopper, Gary  
LeBrun, Donald  
Murotake, David  
Ober, Lynne  
Pellegrino, Tony  
Rowe, Robert  
Ulery, Jordan  
Willette, Robert

Boehm, Ralph  
Culbert, Patrick  
Garcia, Michael  
Infantine, William  
Marston, Dick  
Murphy, Keith  
Ober, Russell III  
Peterson, Lenette  
Sanborn, Laurie  
Vaillancourt, Steve  
Winters, Joel

Burt, John  
Daniels, Gary  
Hansen, Peter  
Jasper, Shawn  
McCarthy, Michael  
Notter, Jeanine  
Palmer, Stephen  
Pratt, Calvin  
Sandblade, Emily  
Villeneuve, Moe

Cebrowski, John  
Danielson, David  
Hikel, John  
Lambert, George  
Meaney, Richard  
O'Brien, William  
Parison, James  
Renzullo, Andrew  
Stroud, Kathleen  
Warden, Mark

### MERRIMACK

Hoell, J.R.  
Smith, Todd

Kotowski, Frank

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Bick, Patrick	Birdsell, Regina
Comerford, Timothy	DeSimone, Debra	Duarte, Joe	Dumaine, Dudley
Elliott, Robert	Emerick, J. Tracy	Fesh, Robert	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Grace, Curtis	Griffin, Mary
Hagan, Joseph	Hayes, Jack	Hodgdon, Bruce	Introne, Robert
Itse, Daniel	Kappler, Lawrence	Khan, Aboul	Kolodziej, Walter
Milz, David	Packard, Sherman	Rice, Frederick	Sanders, Elisabeth
Sapareto, Frank	Schroadter, Adam	Sedensky, John	St.James, Kevin
Sytek, John	Tamburello, Daniel	Tucker, Pamela	Waterhouse, Kevin
Webb, James Sr	Weyler, Kenneth		

**STRAFFORD**

Gray, James	Groen, Warren	Jones, Laura	Pitre, Joseph
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**SULLIVAN**

Osgood, Joe	Rollins, Skip	Smith, Steven
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and the Committee of Conference Report was adopted.

**SENATE MESSAGE****ADOPTION OF COMMITTEE OF CONFERENCE REPORTS**

**SB 35**, relative to the master jury list.

**SB 48**, relative to school performance and accountability.

**SB 75**, relative to games of chance.

**SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation.

**SB 135-FN**, relative to the regulation of the practice of genetic counseling.

**SB 148-FN**, relative to electric renewable portfolio standards.

**SB 157-FN**, establishing a New Hampshire disaster relief fund.

**SB 188-FN**, relative to municipally-owned utilities.

**SB 189-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board.

**HOUSE RESOLUTION #11**

**Relative to a request from the House of Representatives  
to the Honorable Senate**

**WHEREAS**, Part Second, Article 2 of the Constitution of the State of New Hampshire establishes a general court with supreme legislative power in the State, composed of two co-equal bodies – a House of Representatives and a Senate; and,

**WHEREAS**, Part Second, Article 22 of the Constitution of the State of New Hampshire provides that the House of Representatives shall settle the rules of proceedings for its own body, and Article 23 grants that same power to the Senate to settle its rules of proceedings; and,

**WHEREAS**, Part Second, Article 45 of the Constitution of the State of New Hampshire prescribes that resolves be treated as bills; and

**WHEREAS**, House Rule 39 requires that all joint resolutions be treated in the same manner as bills, and Senate Rule 3-20 requires that all resolutions that may be required to be signed by the governor shall be treated as bills; and

**WHEREAS**, for over two centuries it has been the tradition that legislation passed by one body of the New Hampshire legislature and sent to the other body is accepted for introduction, unless substantially similar legislation had been Indefinitely Postponed or found Inexpedient to Legislate in that second body during the current session; and

**WHEREAS**, on February 14, 2013, after the deadline had passed for filing and introduction of legislation originating in the House, the Senate changed its Rules to restrict the introduction of certain types of resolutions; and

**WHEREAS**, the House of Representatives accepted and acted upon a Senate Concurrent Resolution, despite the fact that the Senate refused to accept two House Concurrent Resolutions and one House Joint Resolution; and

**WHEREAS**, comity and respect for the internal process of each chamber is crucial to our democracy; now, therefore, be it

**RESOLVED**, that the House of Representatives respectfully requests of the Senate that it return to the policy that was in place prior to February 14, 2013, to accept and act upon concurrent and joint resolutions sent up from the House; and be it further

**RESOLVED**, that the Clerk of the House deliver a copy of this resolution to the President of the Senate and to the Clerk of the Senate.

Offered by Representatives Shurtleff, Chandler, Baldasaro and Cushing  
Reps. Cushing and Baldasaro spoke in favor.

Rep. Lambert requested a roll call; sufficiently seconded.

## YEAS 327 NAYS 19

### YEAS 327

#### BELKNAP

Burchell, Richard	Comtois, Guy	DiMartino, Lisa	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Gulick, Ruth
Holmes, Stephen	Huot, David	Luther, Robert	Raymond, Ian
Tilton, Franklin	Vadney, Herbert	Worsman, Colette	

#### CARROLL

Ahlgren, Christopher	Buco, Thomas	Butler, Edward	Chandler, Gene
Cordelli, Glenn	Crawford, Karel	Lavender, Tom	McConkey, Mark
Morrow, Harry	Nelson, Bill	Schmidt, Stephen	Ticehurst, Susan
Umberger, Karen	White, Syndi	Wright, Donald	

#### CHESHIRE

Ames, Richard	Berch, Paul	Burridge, Delmar	Butynski, William
Chase, Cynthia	Eaton, Daniel	Emerson, Susan	Ley, Douglas
Mann, John	Parkhurst, Henry	Roberts, Kris	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles			

#### COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
Theberge, Robert	Thomas, Yvonne		

#### GRAFTON

Aguiar, James	Almy, Susan	Bailey, Brad	Benn, Bernard
Bradley, Lester	Brown, Rebecca	Cooney, Mary	Doolan, Ralph Jr
Ford, Susan	Friedrich, Carol	Gionet, Edmond	Harding, Laurie
Higgins, Patricia	Ladd, Rick Jr	Lauer, Linda	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon	Pastor, Beatriz
Piper, Wendy	Reilly, Harold Sr	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

#### HILLSBOROUGH

Backus, Robert	Beaulieu, Jane	Belanger, James	Boehm, Ralph
Boisvert, Ronald	Brown, Pamela	Burt, John	Byron, Frank
Campbell, David	Carroll, Douglas	Cebrowski, John	Chandley, Shannon
Christiansen, Lars	Coffey, James	Connor, Evelyn	Cote, David
Daniels, Gary	Danielson, David	DiSilvestro, Linda	Eaton, Richard
Flanagan, Jack	Gage, Ruth	Gagne, Larry	Gale, Sylvia
Garcia, Michael	Gargas, Carolyn	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Graham, John	Haefner, Robert	Hammond, Jill
Harriott-Gathright, Linda	Heden, Ruth	Hopper, Gary	Infantine, William

Jack, Martin  
 Lambert, George  
 LeVasseur, Richard  
 Manley, Jonathan Sr  
 Murotake, David  
 O'Brien, Michael Sr  
 Ober, Russell III  
 Porter, Marjorie  
 Rhodes, Brian  
 Sandblade, Emily  
 Smith, Timothy  
 Sullivan, Daniel  
 Villeneuve, Moe  
 Williams, Kermit

Jasper, Shawn  
 LeBrun, Donald  
 Levesque, Melanie  
 Marston, Dick  
 Murphy, Keith  
 O'Flaherty, Tim  
 Palmer, Stephen  
 Pratt, Calvin  
 Rokas, Ted  
 Schmidt, Janice  
 Soucy, Timothy  
 Sullivan, Peter  
 Walsh, Robert Jr  
 Winters, Joel

Knowles, Mary Ann  
 Leishman, Peter  
 Long, Patrick  
 McCloskey, David  
 Nelson, Mary  
 O'Neil, William  
 Pellegrino, Tony  
 Ramsey, Peter  
 Rosenwald, Cindy  
 Shattuck, Gilman  
 Spratt, Stephen  
 Takesian, Charlene  
 Warden, Mark  
 Woodbury, David

Kopka, Angeline  
 Levasseur, Nickolas  
 MacKay, Mariellen  
 McNamara, Richard  
 Notter, Jeanine  
 Ober, Lynne  
 Peterson, Lenette  
 Renzullo, Andrew  
 Sanborn, Laurie  
 Shaw, Barbara  
 Stroud, Kathleen  
 Vail, Suzanne  
 Willette, Robert

### MERRIMACK

Alicea, Caroletta  
 Burns, Scott  
 Ebel, Karen  
 Gile, Mary  
 Karrick, David Jr  
 Lockwood, Priscilla  
 Myler, Mel  
 Rogers, Katherine  
 Smith, Todd  
 Walz, Mary Beth

Andrews, Christopher  
 Carey, Lorrie  
 Frambach, Mary  
 Hess, David  
 Kelly, Sally  
 MacKay, James  
 Patten, Dick  
 Schamberg, Thomas  
 Tilton, Joy  
 Watrous, Rick

Bartlett, Christy  
 Carson, Clyde  
 Frazer, June  
 Hirsch, Geoffrey  
 Kidder, David  
 McGuire, Carol  
 Ratzki, Mario  
 Schuett, Dianne  
 Turcotte, Alan  
 Webb, Leigh

Bouchard, Candace  
 Davis, Frank  
 French, Barbara  
 Hoell, J.R.  
 Kotowski, Frank  
 Moffett, Howard  
 Rice, Chip  
 Shurtleff, Stephen  
 Wallner, Mary Jane

### ROCKINGHAM

Abrami, Patrick  
 Bick, Patrick  
 Burtis, Elizabeth  
 Chirichiello, Brian  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Garcia, Bianca  
 Griffin, Mary  
 Heffron, Frank  
 Introne, Robert  
 Kolodziej, Walter  
 McKinney, Betsy  
 Muns, Chris  
 Pantelakos, Laura  
 Scarlotto, Joe  
 Sherman, Thomas  
 Till, Mary  
 Webb, James Sr

Andrews-Ahearn, E. Elaine  
 Birdsell, Regina  
 Cahill, Michael  
 Comerford, Timothy  
 Devine, James  
 Emerson-Brown, Rebecca  
 Garcia, Marilinda  
 Hagan, Joseph  
 Helmstetter, Barbara  
 Itse, Daniel  
 Lovejoy, Patricia  
 McMahon, Charles  
 Nigrello, Robert  
 Rice, Frederick  
 Schlachman, Donna  
 St.James, Kevin  
 Ward, Gerald  
 Weyler, Kenneth

Baldasaro, Alfred  
 Borden, David  
 Cali-Pitts, Jacqueline  
 Copeland, Timothy  
 Duarte, Joe  
 Fesh, Robert  
 Gordon, Richard  
 Harris, Jeffrey  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Major, Norman  
 Milz, David  
 O'Connor, John  
 Sanders, Elisabeth  
 Schroadter, Adam  
 Sytek, John  
 Waterhouse, Kevin  
 Whittemore, Lisa

Belanger, Ronald  
 Briden, Steven  
 Charron, Gene  
 Cushing, Robert Jr  
 Elliott, Robert  
 Flockhart, Eileen  
 Grace, Curtis  
 Hayes, Jack  
 Hoelzel, Kathleen  
 Khan, Aboul  
 Mann, Maureen  
 Moody, Marcia  
 Packard, Sherman  
 Sapareto, Frank  
 Sedensky, John  
 Tamburello, Daniel  
 Wazlaw, Brian

### STRAFFORD

Baber, William  
 Burke, Rachel  
 Gray, James  
 Jones, Laura  
 Menear, H. Robert III  
 Pitre, Joseph  
 Smith, Marjorie  
 Wall, Janet

Berube, Roger  
 Gardner, Janice  
 Grossman, Kenneth  
 Kaen, Naida  
 Mullen, John Jr  
 Rogers, Rose Marie  
 Spainhower, Dale  
 Ward, Kenneth

Bixby, Peter  
 Ginsburg, Philip  
 Hooper, Dorothea  
 Ketel, Stephen  
 Pelletier, Marsha  
 Rollo, Deanna  
 Spang, Judith

Burdwood, Greg  
 Grassie, Anne  
 Horrigan, Timothy  
 Malloy, Dennis  
 Perry, Robert  
 Schmidt, Peter  
 Stevens, Audrey



**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
O'Hearne, Andrew  
Smith, Steven

Gottling, Suzanne  
Osgood, Joe  
Sweeney, Cynthia

Grenier, James  
Rollins, Skip  
Tanner, Linda

**NAYS 19**  
**BELKNAP**

None

**CARROLL**

None

**CHESHIRE**

Hunt, John

Johnsen, Gladys

**COOS**

None

**GRAFTON**

None

**HILLSBOROUGH**

Barry, Richard  
Kurk, Neal  
Rowe, Robert

Culbert, Patrick  
McCarthy, Michael  
Ulery, Jordan

Hansen, Peter  
Meaney, Richard  
Vaillancourt, Steve

Hikel, John  
Parison, James

**MERRIMACK**

McGuire, Dan

**ROCKINGHAM**

Allen, Mary

Dumaine, Dudley

Sweeney, Joe

Tucker, Pamela

**STRAFFORD**

Groen, Warren

**SULLIVAN**

None

and the Resolution was adopted and ordered to third reading.

**REMOVED FROM THE TABLE**

Rep. Shurtleff moved that *SCR 1*, relative to special use permits in the White Mountain National Forest, be removed from the table.

Rep. Tamburello requested a roll call; sufficiently seconded.

**YEAS 259 NAYS 81****YEAS 259****BELKNAP**

DiMartino, Lisa  
Holmes, Stephen

Fields, Dennis  
Huot, David

Flanders, Donald  
Raymond, Ian

Gulick, Ruth  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Lavender, Tom  
Ticehurst, Susan

Buco, Thomas  
McConkey, Mark  
White, Syndi

Butler, Edward  
Merrow, Harry

Chandler, Gene  
Nelson, Bill

**CHESHIRE**

Ames, Richard  
Chase, Cynthia

Berch, Paul  
Eaton, Daniel

Burridge, Delmar  
Emerson, Susan

Butynski, William  
Ley, Douglas

Mann, John  
Sad, Tara  
Weed, Charles

Parkhurst, Henry  
Shepardson, Marjorie

Roberts, Kris  
Tatro, Bruce

Robertson, Timothy  
Weber, Lucy

## COOS

Coulombe, Gary  
Moynihan, Wayne  
Thomas, Yvonne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Rideout, Leon

Hatch, William  
Theberge, Robert

## GRAFTON

Aguiar, James  
Bradley, Lester  
Ford, Susan  
Higgins, Patricia  
Massimilla, Linda  
Piper, Wendy  
Sykes, George

Almy, Susan  
Brown, Rebecca  
Friedrich, Carol  
Ladd, Rick Jr  
Mulholland, Catherine  
Reilly, Harold Sr  
Townsend, Charles

Bailey, Brad  
Cooney, Mary  
Gionet, Edmond  
Lauer, Linda  
Nordgren, Sharon  
Shackett, Jeffrey  
White, Andrew

Benn, Bernard  
Doolan, Ralph Jr  
Harding, Laurie  
Lovett, Sid  
Pastor, Beatriz  
Smith, Suzanne

## HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Cebrowski, John  
Cote, David  
Eaton, Richard  
Gargas, Carolyn  
Haefner, Robert  
Jack, Martin  
Lambert, George  
Mackay, Mariellen  
McNamara, Richard  
O'Brien, Michael Sr  
Palmer, Stephen  
Pratt, Calvin  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Winters, Joel

Beaulieu, Jane  
Byron, Frank  
Chandley, Shannon  
Culbert, Patrick  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Jasper, Shawn  
Leishman, Peter  
Manley, Jonathan Sr  
Murotake, David  
O'Flaherty, Tim  
Pellegrino, Tony  
Ramsey, Peter  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr  
Woodbury, David

Belanger, James  
Campbell, David  
Christiansen, Lars  
Danielson, David  
Gagne, Larry  
Gorman, Mary  
Harriott-Gathright, Linda  
Knowles, Mary Ann  
LeVasseur, Richard  
Marston, Dick  
Nelson, Mary  
O'Neil, William  
Peterson, Lenette  
Rosenwald, Cindy  
Shaw, Barbara  
Stroud, Kathleen  
Willette, Robert

Boisvert, Ronald  
Carroll, Douglas  
Coffey, James  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Heden, Ruth  
Kopka, Angeline  
Levesque, Melanie  
McCloskey, David  
Notter, Jeanine  
Ober, Lynne  
Porter, Marjorie  
Sanborn, Laurie  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

## MERRIMACK

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Hoell, J.R.  
Lockwood, Priscilla  
Myler, Mel  
Rogers, Katherine  
Tilton, Joy  
Watrous, Rick

Bartlett, Christy  
Carson, Clyde  
French, Barbara  
Karrick, David Jr  
Mackay, James  
Patten, Dick  
Schuett, Dianne  
Turcotte, Alan

Bouchard, Candace  
Davis, Frank  
Gile, Mary  
Kelly, Sally  
McGuire, Carol  
Ratzki, Mario  
Shurtleff, Stephen  
Wallner, Mary Jane

Burns, Scott  
Ebel, Karen  
Hirsch, Geoffrey  
Kotowski, Frank  
Moffett, Howard  
Rice, Chip  
Smith, Todd  
Walz, Mary Beth

## ROCKINGHAM

Abrami, Patrick  
Briden, Steven  
Comerford, Timothy  
Devine, James  
Flockhart, Eileen  
Helmstetter, Barbara  
Lovejoy, Patricia

Andrews-Ahearn, E. Elaine  
Burtis, Elizabeth  
Copeland, Timothy  
Duarte, Joe  
Griffin, Mary  
Hoelzel, Kathleen  
Major, Norman

Baldasaro, Alfred  
Cahill, Michael  
Cushing, Robert Jr  
Elliott, Robert  
Hagan, Joseph  
Itse, Daniel  
Mann, Maureen

Borden, David  
Chirichiello, Brian  
DeSimone, Debra  
Emerson-Brown, Rebecca  
Heffron, Frank  
Kolodziej, Walter  
McMahon, Charles

Milz, David  
O'Connor, John  
Sanders, Elisabeth  
Sherman, Thomas  
Ward, Gerald  
Whittemore, Lisa

Moody, Marcia  
Packard, Sherman  
Sapareto, Frank  
St.James, Kevin  
Waterhouse, Kevin

Muns, Chris  
Pantelakos, Laura  
Schlachman, Donna  
Sytek, John  
Wazlaw, Brian

Nigrello, Robert  
Rice, Frederick  
Schroadter, Adam  
Till, Mary  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Wall, Janet

Bixby, Peter  
Ginsburg, Philip  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Smith, Marjorie  
Ward, Kenneth

Burdwood, Greg  
Grassie, Anne  
Jones, Laura  
Menear, H. Robert III  
Rogers, Rose Marie  
Spainhower, Dale

Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Mullen, John Jr  
Rollo, Deanna  
Stevens, Audrey

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
O'Heame, Andrew  
Tanner, Linda

Gottling, Suzanne  
Osgood, Joe

Grenier, James  
Rollins, Skip

### NAYS 81

### BELKNAP

Burchell, Richard  
Tilton, Franklin

Comtois, Guy  
Worsman, Colette

Fink, Charles

Greemore, Robert Jr

### CARROLL

Cordelli, Glenn  
Wright, Donald

Crawford, Karel

Schmidt, Stephen

Umberger, Karen

### CHESHIRE

Hunt, John

Johnsen, Gladys

### COOS

Rappaport, Laurence

### GRAFTON

None

### HILLSBOROUGH

Barry, Richard  
Daniels, Gary  
Hansen, Peter  
LeBrun, Donald  
Meaney, Richard  
Rowe, Robert  
Ulery, Jordan

Boehm, Ralph  
Flanagan, Jack  
Hikel, John  
Levasseur, Nickolas  
Ober, Russell III  
Sandblade, Emily  
Vaillancourt, Steve

Burt, John  
Garcia, Michael  
Hopper, Gary  
Long, Patrick  
Parison, James  
Sullivan, Daniel  
Villeneuve, Moe

Connor, Evelyn  
Graham, John  
Kurk, Neal  
McCarthy, Michael  
Renzullo, Andrew  
Takesian, Charlene  
Warden, Mark

### MERRIMACK

Andrews, Christopher  
McGuire, Dan

Frazer, June  
Schamberg, Thomas

Hess, David  
Webb, Leigh

Kidder, David

### ROCKINGHAM

Allen, Mary  
Cali-Pitts, Jacqueline  
Fesh, Robert  
Grace, Curtis

Belanger, Ronald  
Charron, Gene  
Garcia, Bianca  
Harris, Jeffrey

Bick, Patrick  
Dumaine, Dudley  
Garcia, Marilinda  
Hayes, Jack

Birdsell, Regina  
Emerick, J. Tracy  
Gordon, Richard  
Hodgdon, Bruce

Introne, Robert  
Scarlotta, Joe  
Tucker, Pamela

Kappler, Lawrence  
Sedensky, John  
Webb, James Sr

Khan, Aboul  
Sweeney, Joe

McKinney, Betsy  
Tamburello, Daniel

### STRAFFORD

Gray, James

Groen, Warren

Pitre, Joseph

Spang, Judith

### SULLIVAN

Smith, Steven

Sweeney, Cynthia

and **SCR 1** was removed from the table.

### MOTION TO SUSPEND HOUSE RULES

Rep. Cushing moved that all necessary House Rules be suspended as to allow action at the present time, after the deadline, on **SCR 1**, relative to special use permits in the White Mountain National Forest.

On a division vote, 256 members having voted in the affirmative and 78 in the negative, the motion was adopted by the necessary two-thirds vote.

The question being adoption of floor amendment (1554h).

#### Floor Amendment (1554h)

Amend the title of the resolution by replacing it with the following:

**A RESOLUTION** relative to special use permits in the White Mountain National Forest, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans, and requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

Amend the resolution by replacing all after the title with the following:

Whereas, the New Hampshire general court has adopted numerous resolutions relative to the White Mountain National Forest over the last two decades, including HR 25 in the 1993 session, HJR 7 in the 1999 session, HR 9 in the 1999 session, HCR 25 in the 2000 session, SJR 1 in the 2000 session, and SCR 2 in 2012; and

Whereas, each of these resolutions has affirmed and communicated the strong support of the people of New Hampshire, through their elected representatives, for multiple use management in the White Mountain National Forest, including sustainable forest and wildlife habitat management, and traditional recreational uses such as hiking, fishing, hunting, downhill and cross-country skiing, and snowmobiling; and

Whereas, the White Mountain National Forest, established by the Weeks Act almost a century ago, through the efforts of New Hampshire citizens, represents the successful application of the principles of natural resource protection combined with multiple use; and

Whereas, conservation and preservation of the 800,000-acre Forest's lands, watersheds, wildlife habitats, natural scenic beauty, and resource use and recreation was the intent of the 1911 Weeks Act; and

Whereas, this approach has become a tradition and the ethic for the forest throughout its 100 plus years of successful service to the citizens of the north country, the state, and the country; and

Whereas, any diversion from this tradition and ethic will have an adverse effect on the forest's ability to continue to meet the needs of the communities of the north country and its 5,000,000 users per year, the American public; and

Whereas, New Hampshire is a proud and patriotic state with approximately 131,000 veterans with the majority over the age of 65 who have served their country bravely and risked their lives to preserve our country's freedom and democracy, and their sacrifices on our behalf are deserving of an upgraded medical delivery system to meet their health care needs; and

Whereas, New Hampshire is largely a rural state with limited access to the interstate highway system requiring veterans residing in many rural communities who may be ill and elderly to travel many miles to appointments for even minor procedures often placing undue and unnecessary stress on sick or injured veterans and their families; and

Whereas, many New Hampshire veterans residing in rural communities frequently miss essential checkups and therapies due to inclement weather and lack of proper transportation; and

Whereas, timely medical treatment would improve the overall health and quality of life of veterans by preventing numerous strokes, by-passes, amputations, and other costly but preventable conditions; and

Whereas, many New Hampshire veterans over the age of 65 do not have access to a primary care provider; and

Whereas, veterans residing in rural communities deserve the same level of care as veterans residing in other areas of the state; and

Whereas, New Hampshire is one of only 2 states in the nation without a full-service hospital, requiring veterans to travel to Vermont, Massachusetts, Maine, and Rhode Island for medical treatment; and

Whereas, adequate care of our veterans should be the concern of all Americans; and

Whereas, government was established to provide a social contract between naturally born persons; and

Whereas, the founders of the United States Constitution and Republic clearly and emphatically intended freedom of speech to mean freedom to communicate with and by natural born persons either directly or through the free press; and

Whereas, the United States Supreme Court ruled on January 21, 2010 in Citizens United v. Federal Election Commission that corporations have the same First Amendment rights as people, and that they can spend unlimited amounts of money on elections; and

Whereas, the Supreme Court is misguided in principle, and wrong on the law, because in a democracy, the people rule; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring:

That the general court reaffirms its commitment to the principles underlying the Weeks Act, and supports continued management of the White Mountain National Forest for multiple uses as a part of the National Forest System; and

That consideration by the United States Department of Agriculture (USDA) Forest Service of any special use permit in the White Mountain National Forest should recognize the Forest's economic and social importance, its character and presence within the New England region, and its unique environmental and natural characteristics; and

That the New Hampshire general court respectfully urges the Congress of the United States and the Department of Veterans Affairs to fulfill the Department's goal of providing excellence in patient care by increasing the types of and access to specialty care at a full service VA Manchester Medical Center, or by developing a pilot program to utilize a veteran's medical card for use in New Hampshire's medical facilities in order to provide better care to veterans residing in rural areas, or by the establishment of additional community based outpatient clinics, outpatient clinics, or vet centers as justified by veterans' medical and mental health needs along with greater use of mobile clinics, and where cost effective, enter into contract services with the goal of increasing services and reducing travel time to ensure access to health care is available when it is needed; and

That the general court urges the New Hampshire congressional delegation to encourage and expedite a constitutional amendment to firmly establish:

I. That human beings, not corporations, are endowed with Constitutional rights protected by the First Amendment; and

II. That money is not speech, and therefore regulating political contributions and spending is not equivalent to limited political speech; and

III. That the freedoms of speech and the press, and the right to assemble peaceably and to petition the government for the redress of grievances, as protected by this Constitution, shall not encompass the speech, association, or other activities of any corporation or other artificial entity created for business purposes, except for a corporation or entity whose business is the publication or broadcasting of information, when such corporation or entity is engaged in that business. A corporation or other artificial entity created for business purposes includes a corporation or entity that, although not itself engaged in business pursuits, receives the majority of its funding from other corporations or artificial entities created for business purposes; and constitutional rights; and

That the house clerk forward official copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the majority and minority leadership of the Senate, the Secretary of Veterans Affairs, to Thomas

Tidwell, the chief of the USDA Forest Service, and to all the members of the New Hampshire congressional delegation with the request that this resolution be officially entered in the Congressional Record as a high priority for the Congress of the United States of America.

### AMENDED ANALYSIS

This concurrent resolution:

I. Declares that the United States Department of Agriculture Forest Service shall consider certain unique characteristics of the White Mountain National Forest when reviewing and deliberating on any special use permit for property located in the White Mountain National Forest.

II. Urges Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans.

III. Urges the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

Rep. Cushing spoke against.

Floor Amendment (1554h) failed.

Motion of Ought to Pass adopted and ordered to third reading.

### MOTION TO PRINT

Rep. Hoell moved that the letter of resignation from Representative Stella Tremblay be printed in its entirety in the Permanent Journal.

Rep. Winters spoke against.

On a division vote, 43 members having voted in the affirmative and 279 in the negative, the motion failed.

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 228, 231, 559, 588 and 640 and Senate Bills numbered 27, 41, 44, 54, 76, 94, 112, 134, 138, 162, 179 and 198.

Rep. Shurtleff, Sen. Prescott for the Committee

### RESOLUTION

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time, and when the House adjourns, it be to meet at the Call of the Chair. Adopted.

### LATE SESSION

#### Third reading and final passage

**HR 11**, relative to a request from the House of Representatives to the Honorable Senate.

**SCR 1**, relative to special use permits in the White Mountain National Forest.

### RECESS MOTION

Rep. Shurtleff moved that the House stand in recess for the purposes of receiving Senate messages, enrolled bill amendments, enrolled bill reports and veto messages from the Governor, at the completion which the House will stand adjourned to the Call of the Chair. Adopted.

The House recessed at 2:55 p.m.

### RECESS

(Rep. Benn in the Chair)

### ENROLLED BILL AMENDMENT

**HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015.

**Amendment (2184-EBA)**

Amend paragraph I of section 1.08 of the bill by replacing line 3 with the following:  
local funds, 006-agency income, 007-agency income, 008-agency income, and 009-agency income  
is less

Amend section 13 of the bill by replacing lines 1 and 2 with the following:

13 New Hampshire Veterans' Home; Reduction in Appropriation. The New Hampshire veterans' home is hereby directed to reduce state general fund appropriations by \$250,000 for each year of the Adopted.

**RECESS**

**(Rep. Graham in the Chair)**

**ENROLLED BILL AMENDMENTS**

**SB 87**, relative to the patients' bill of rights. (Amendment printed SJ 6-26-13)  
Adopted.

**SB 98**, authorizing group net metering for limited electrical energy procedures. (Amendment printed SJ 6-26-13)  
Adopted.

**SB 101**, relative to collocation and modification of personal wireless services facilities. (Amendment printed SJ 6-26-13)  
Adopted.

**SB 124-FN**, establishing an integrated land development permit. (Amendment printed SJ 6-26-13)  
Adopted.

**SB 191-FN-A**, establishing a state energy strategy. (Amendment printed SJ 6-26-13)  
Adopted.

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 1 and 413 and Senate Bills numbered 17 and 170.

Rep. Shurtleff, Sen. Bradley for the Committee

**RECESS**

**(Rep. Henley in the Chair)**

**ENROLLED BILL AMENDMENT**

**SB 123-FN-L**, relative to the use of proceeds from the regional greenhouse gas initiative program. (Amendment printed SJ 6-26-13)  
Adopted.

**(Rep. Leishman in the Chair)**

**ENROLLED BILL AMENDMENT**

**HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures.

**Amendment (2182-EBA)**

Amend the bill by replacing section 23 with the following:

23 Medicaid Management Information System; Reports. Amend 2011, 224:365, II to read as follows:

II. *For the biennium ending June 30, 2015*, the commissioner of the department of health and human services shall provide the fiscal committee of the general court with monthly reports on the status of the new MMIS system implementation and shall report on the department's efforts to seek cost recovery under section 10.1 (Failure to Meet Start Date for Operations Phase) of the MMIS contract dated October 18, 2005 and approved by governor and council on December 17, 2005.

Amend section 30 of the bill by replacing line 1 with the following:

30 Continuation of Appropriation; Department of Administrative Services. Any unspent  
Amend RSA 21-I:36-b, 1(b) as inserted by section 33 of the bill by replacing it with the following:

(b) The president of the State Employees' Association of New Hampshire, or designee. Amend paragraph I of section 46 of the bill by replacing line 3 with the following: for by the department of health and human services pursuant to RSA 169-B:40, 169-C:27, and 169-D:29,

Amend section 51 of the bill by replacing line 1 with the following:

51 Repeal. 1988, 197:12 as amended by 1990, 201:16, relative to certification of shelter Amend RSA 151-C:13, I(j) as inserted by section 85 of the bill by replacing line 2 with the following: ***Health Service Act, 42 U.S.C. section 254b.***

Amend section 102 of the bill by replacing line 1 with the following:

102 Legislative Branch; Special Account; Transfer to the General Fund. Amend 2011, 224:217, Amend RSA 94:1-a, II as inserted by section 158 of the bill by replacing it with the following:

II. The salary wages for the positions set forth below shall be as follows commencing July 12, 2013:

	Minimum	Maximum
Governor's councilors		\$15,397
Racing and charitable gaming commissioners		\$11,941
Lottery commission, chairman		\$17,368
Lottery commission, members		\$9,776

Amend RSA 94:1-a, II as inserted by section 159 of the bill by replacing it with the following:

II. The salary wages for the positions set forth below shall be as follows commencing July 11, 2014:

	Minimum	Maximum
Governor's councilors		\$15,743
Racing and charitable gaming commissioners		\$12,210
Lottery commission, chairman		\$17,758
Lottery commission, members		\$9,996

Amend RSA 94:1-a, II as inserted by section 160 of the bill by replacing it with the following:

II. The salary wages for the positions set forth below shall be as follows commencing January 9, 2015:

	Minimum	Maximum
Governor's councilors		\$16,097
Racing and charitable gaming commissioners		\$12,485
Lottery commission, chairman		\$18,158
Lottery commission, members		\$10,221

Amend the bill by inserting after section 178 the following and renumbering the original section 179 to read as 180:

179 Contingency.

I. If HB 588 of the 2013 regular legislative session becomes law, RSA 206:1-a, as inserted by section 75 of this act, shall be renumbered as RSA 206:1-b.

II. If SB 138-FN of the 2013 regular legislative session becomes law, RSA 151-E:19 as inserted by section 132 of this act, and as repealed by section 133 of this act, shall be renumbered as RSA 151-E:20.

Amend section 180 of the bill by inserting after paragraph XIV the following new paragraph and renumbering the original paragraph XV to read as XVI.

XV. Section 34 of this act shall take effect November 15, 2013.  
Adopted.

### ENROLLED BILLS REPORT

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 2 and 306 and Senate Bills numbered 90 and 185.

Rep. Hackel, Sen. Morse for the Committee

(RECESS)

(Rep. Wallner in the Chair)

### ENROLLED BILL AMENDMENT

***HB 25-FN-A***, making appropriations for capital improvements.



**Amendment (2189-EBA)**

Amend the footnote following paragraph IV as inserted by section 1 of the bill by replacing line 1 with the following:

\* The project in subparagraph IV, A shall utilize the construction management method of Amend Paragraph XI, A as inserted by section 1 of the bill by replacing line 2 with the following:

LED Summary Displays and Legislative Integrated

Amend section 39 of the bill by replacing line 4 with the following:

D. Construction of Community Residence and/or

additional Supported Housing Beds\* *and Business One Stop* 976,000

\* For the project authorized in subparagraph D, funds shall be utilized to acquire, rehabilitate, and/or build apartments in the community as additional community residence beds for adults requiring 24-hour in-home supports or services, or alternatively, for supported housing for adults and/or transitional aged youth with a severe mental illness who do not require 24-hour monitoring but are in need of stable and affordable housing, with community supports provided to maintain placement in the community. If a community location is not available, then the new supported housing beds may be constructed on the Hugh Gallen state office park south campus. The department may seek matching federal, local, or private funds to supplement these funds. Before any funds are expended, the department of health and human services shall submit a plan to the capital budget overview committee for its approval.

Adopted.

**RECESS**

(Rep. Hess in the Chair)

**ENROLLED BILL AMENDMENT**

**SB 75**, relative to games of chance. (Amendment printed SJ 6-26-13)

Adopted.

**SB 135-FN**, relative to the regulation of the practice of genetic counseling. (Amendment printed SJ 6-26-13)

Adopted.

**RECESS**

(Rep. Kaen in the Chair)

**ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 25, 124, 142, 183, 220, 224, 242, 295, 385, 472, 518, 546, 595 and 599 and Senate Bills numbered 35, 48, 87, 98, 101, 119, 123, 124, 148, 157, 188, 189 and 191.

Rep. Shurtleff, Sen. Stiles for the Committee

**RECESS**

(Rep. Schuett in the Chair)

**ENROLLED BILL AMENDMENTS**

**HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration.

**Amendment (2196-EBA)**

Amend the bill by replacing section 3 with the following:

3 Reference Changed. Amend RSA 21-J:14, IV(a) to read as follows:

(a) Municipal service and regulatory responsibilities including, but not limited to, responsibilities under RSA [21-J:9, ~~except RSA 21-J:9, I(c) and H, and~~] 21-J:15-24.

Adopted.

**HB 253**, relative to limitations on sales by nano breweries for consumption on the premises.

**Amendment (2194-EBA)**

Amend RSA 178:12-a as inserted by section 1 of the bill by replacing lines 25 through 32 with the following:

[H-] **III.** A nano brewery licensee shall have the right to transport beverages it manufactures in barrels, kegs, bottles, or other closed containers within the state for sale to licensees and to the state border for transportation and sale outside the state.

[V-] **IV.** A nano brewery licensee may transport its products to a farmers' market, and may sell such products at retail in the original container.

**V. No unopened container sold by the licensee shall be opened or consumed on the premises.**

**VI. Any nano brewery licensee meeting and maintaining the requirements of a**  
Adopted.

**HB 260-FN**, relative to the children in need of services (CHINS) program and relative to court-ordered placements in shelter care facilities and at the youth development center.

#### **Amendment (2193-EBA)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to the children in need of services (CHINS) program, relative to court-ordered placements in shelter care facilities and at the youth development center and requiring a report on the uses of the Sununu Youth Services Center.

Amend section 10 of the bill by replacing line 8 with the following:

**or another disorder that may impede the child's decision-making abilities.**

Amend RSA 621:19, I-a as inserted by section 20 of the bill by replacing line 3 with the following: a no later than 6 months following the child's commitment pursuant to RSA 169-B:19, I(j). Release is Amend the bill by inserting after section 24 the following and renumbering the original section 25 to read as 26:

25 Contingency. If HB 433 of the 2013 regular legislative session becomes law, then RSA 169-B:2, XIV as inserted by section 17 of this act shall be renumbered as RSA 169-B:19, XV.

Adopted.

**HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit.

#### **Amendment (2199-EBA)**

Amend RSA 110-B:28, IV as inserted by section 1 of the bill by replacing line 6 with the following: **construction for building renovations or site improvements to existing state-owned**

Amend RSA 110-B:62 as inserted by section 4 of the bill by replacing lines 3-5 with the following: scholarship committee consisting of the adjutant general or his **or her** designee, the commissioner of education or his **or her** designee, one person appointed by the governor, one member of the house of representatives committee on ~~public protection and veterans~~ **state-federal relations and veterans** affairs appointed by the speaker of the  
Adopted.

**HB 542**, relative to the renewable energy fund and regulation of telephone, Voice Over Internet Protocol, and IP-enabled service providers and relative to electric renewable portfolio standards.

#### **Amendment (2191-EBA)**

Amend section 3 of the bill by replacing line 1 with the following:

3 IP-enabled Service; Definition. Amend RSA 362:7, I(e) to read as follows:

Amend RSA 362:7, II as inserted by section 4 of the bill by replacing lines 6-7 with the following: service or any provider of VoIP service or IP-enabled service. **VoIP services and IP-enabled services are not public utility services and a provider of VoIP service or IP-enabled service**

Adopted.

**HB 573-FN**, relative to the use of cannabis for therapeutic purposes.

#### **Amendment (2200-EBA)**

Amend RSA 126-W:2, I as inserted by section 1 of the bill by replacing line 2 with the following: prosecution or penalty under state or municipal law, or denied any right or privilege for the

Amend RSA 126-W:2, I as inserted by section 1 of the bill by replacing lines 5-6 with the following:

- (a) Two ounces of usable cannabis; and
- (b) Any amount of unusable cannabis.

Amend RSA 126-W:2, II as inserted by section 1 of the bill by replacing lines 5-7 with the following:

(a) Two ounces of usable cannabis, or the total amount allowable for the number of qualifying patients for which he or she is a designated caregiver; and

(b) Any amount of unusable cannabis.

Amend RSA 126-W:2, VIII as inserted by section 1 of the bill by replacing line 2 with the following: or penalty under state or municipal law, or denied any right or privilege, including but not limited

Amend RSA 126-W:2, X as inserted by section 1 of the bill by replacing line 2 with the following: enforcement, prosecution or penalty in any manner under state or municipal law, search, or

Amend RSA 126-W:2, XII as inserted by section 1 of the bill by replacing line 2 with the following: prosecution or penalty under state or municipal law, or denied any right or privilege, including

Amend RSA 126-W:7, IV(a) as inserted by section 1 of the bill by replacing line 2 with the following: approved application form with all required documentation and a nonrefundable fee in an amount

Amend RSA 126-W:7, IV(a)(4) as inserted by section 1 of the bill by replacing line 2 with the following:

of the alternative treatment center. The board of directors for the nonprofit shall include at least

Amend RSA 126-W:7, IV(a)(11) as inserted by section 1 of the bill by replacing line 1 with the following:

(11) Information showing the applicant's experience running a nonprofit or other

Amend RSA 126-W:7, IV(a)(13) as inserted by section 1 of the bill by replacing it with the following:

(13) The applicant's plans for recordkeeping and inventory control.

Amend RSA 126-W:7, IV(c)(3) as inserted by section 1 of the bill by replacing lines 3-4 with the following:

treatments, botany, or cannabis cultivation and preparation, and their experience operating a nonprofit organization or business.

Amend RSA 126-W:7, VIII(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Committed violations of this chapter or department rules; or

Amend RSA 126-W:10, II as inserted by section 1 of the bill by replacing line 2 with the following:

certification by patient and caregiver, location, age, medical condition, symptom, or side effect, and

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 Contingency. If SB 17 of the 2013 regular legislative session becomes law, RSA 126-W, as inserted by section 1 of this act and referenced in sections 2-4 of this act, shall be renumbered as RSA 126-X.

Adopted.

**HB 594-FN**, relative to the general consumer credit laws of the state making a technical correction, and relative to a town clerk and tax collector electing to be a member in the retirement system.

#### Amendment (2195-EBA)

Amend the title of the bill by replacing line 1 with the following:

AN ACT relative to the general consumer credit laws of the state, making a technical

Amend RSA 397-A:1, I-a as inserted by section 2 of the bill by replacing line 3 with the following: *such persons*. Affiliates shall include but not *be* limited to:

Amend section 5 of the bill by replacing line 1 with the following:

5 Definition; Originator. Amend the introductory paragraph of RSA 397-A:1, XVII(a) to read as

Amend section 7 of the bill by replacing line 1 with the following:

7 License Required. Amend RSA 397-A:3, V and VI to read as follows:

Amend section 29 of the bill by replacing it with the following:

29 Repeal. RSA 397-A:1, XXVI, relative to yield spread premium, is repealed.

Adopted.

**HB 635**, establishing a committee to study the staffing of currently closed rest areas and to develop a process for soliciting requests for proposals to sponsor or purchase naming rights to New Hampshire rest areas.

#### Amendment (2192-EBA)

Amend the title of the bill by replacing it with the following:

AN ACT requiring the department of transportation to develop a procedure for soliciting requests for proposals for the sponsorship or naming rights of New Hampshire rest areas.

Adopted.

**HB 664-FN**, relative to the New Hampshire vaccine association.

#### **Amendment (2197-EBA)**

Amend RSA 126-Q:3, III(a) as inserted by section 4 of the bill by replacing line 2 with the following: writing [or], maintaining [~~health insurance in New Hampshire and having the most covered~~]  
Adopted.

#### **RECESS**

**(Rep. Kaen in the Chair)**

#### **ENROLLED BILLS REPORT**

The Committee on Enrolled Bills has examined and found correctly enrolled House Bills numbered 252, 253, 260, 524, 542, 573, 594, 635 and 664 and Senate Bills numbered 75 and 135.

Rep. Henle, Sen. Carson for the Committee

The House is adjourned to the Call of the Chair.

**Wednesday, June 26, 2013**

The Speaker called the recessed Session of June 26, 2013 to order at 10:00 a.m.

#### **CLERK'S NOTE**

Although the June 26, 2013 Session continues here, the actual date is January 8, 2014.

#### **LEAVES OF ABSENCE**

Reps. Aguiar, Andrews, Ronald Belanger, Booras, Bradley, Charron, Connor, Susan Emerson, Hansberry, Helmstetter, Hoelzel, McCloskey, Menear, Merrill, Mary Nelson, Amy Perkins, Straight and Tamburello, the day, illness.

Reps. Burdwood, Burtis, Emerson-Brown, Bianca Garcia, Grady, Haefner, Sally Kelly, Lerandeau, Meaney, William O'Brien, Oigny, Parison, Priestley, Rhodes, Sad, Todd Smith, Spainhower and Verschueren, the day, important business.

Rep. Lawrence Perkins, the day, illness in the family.

#### **INTRODUCTION OF GUESTS**

Jonathan Bailey, son of Rep. Bailey. Pastor Garrett Lear, guest of Rep. Itse. Francis Ouma, guest of Rep. Bill Nelson. Franklin Police Chief David Goldstein, guest of Rep. Leigh Webb.

#### **COMMUNICATION**

November 26, 2013

David H. Thompson  
53 Meadowfox Rd.  
Chester, NH

To whom it may concern:

I regret to inform you that I am resigning my elected position as representative to the Town of Derry. This is made necessary for the fact I have moved from Derry and cannot continue to represent the citizens of Derry.

I would like to express my sincere thanks and appreciation for the cordiality extended to me by Speaker, Clerk and fellow representatives.

Sincerely,  
David H. Thompson

#### **COMMUNICATION**

December 27, 2013

Dear Speaker Norelli:

After a great deal of consideration of the seven years during which I have had the honor of serving New Hampshire as a Representative, with mixed emotions, I resign.

With the possibility of another stroke sometime in my future and a major birthday in 2014, I am in the process of moving back to New Jersey where I grew up and a “new life” is waiting for me. I shall miss the part of my life spent in representing our state, and the many opportunities I was given for enrichment of my political knowledge.

With sincere gratitude,  
Representative Joy K. Tilton  
Merrimack County, District 3, Northfield &  
Franklin Ward 3

### COMMUNICATION

January 4, 2014

Speaker Terie Norelli  
New Hampshire House of Representatives  
State House Room 312  
107 North Main Street  
Concord NH 03301-4988

RE: House Seat Resignation

Dear Madam Speaker:

It is with very mixed emotions that I submit my resignation for Keene Floterial 16<sup>th</sup> effective January 6<sup>th</sup>.

My part time teaching position at the community college has been changed to full time. I attribute the thrust of this change in my status at the college as a serendipity result of the ACA.

I have thoroughly enjoyed this third term and appreciate your appointment to Criminal Justice and Public Safety. In contrast to my first and second term, I've experienced greater collegiality while appearing before various committees, all a result of your selection and expectations from leadership. Mixed up seating in the House and Committees was putting the contact theory to good use. I enjoyed John Burt to my right in House and Vaillancourt on one side and Mark Warden on the other in committee. Laura Pantelakos was just fine as Chair.

I intend to run in two and half years when I am 70 and my wife turns 65. My life is richer for having experience in all three branches of government in criminal justice.

Kindest regards to you Terie. You have met my expectations during this tour.

Delmar D. BurrIDGE  
Keene

### COMMUNICATION

To: Terie Norelli, Speaker of the House  
From: Hon. Nickolas J. Levasseur, State Representative  
Date: 25 November 2013

Madam Speaker,

It is with the deepest regret that I offer my resignation as Representative of Hillsborough District 11, Manchester's Ward 4. I do so because I have taken new employment and will be unable to commit the necessary time to my duties and I will be moving out of my district.

Serving in the New Hampshire House has been the greatest honor of my life. I have met many astonishing people, taken part in extraordinary events, and played my own small role in our state's history. I will forever cherish the memories of my service as a pinnacle time in my life. I would like to thank you for your many years of leadership and dedication as well as that of every member of the House with whom it has been my pleasure to serve.

To serve in the New Hampshire House is to give of yourself. You give to your constituents. You give to your issues. You give to your work. And you give to your fellow representatives. I leave having given much, but having received so much more. I leave having forged friendships that will last a lifetime. I leave with experiences that will guide the course of my life. I leave with the knowledge that our individual smallness is made into greatness by the collective will and dedication of the few who hold the title “New Hampshire State Representative.”

Madame Speaker I bid you, my fellow representatives, and this esteemed institution good luck, Godspeed, and a heartfelt farewell.

Respectfully submitted,  
Hon. Nickolas J. Levasseur

## COMMUNICATION

December 20, 2013

Ms. Karen Wadsworth  
 Clerk of the House of Representatives  
 State House  
 Concord, NH 03301

Dear Karen:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Strafford District No. 6 (Durham, Madbury)

Amanda Merrill, d, Durham (8 Meadow Rd.) 03824

Sincerely,  
 William M. Gardner  
 Secretary of State

## GOVERNOR'S VETO MESSAGE ON HB 183

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 24, 2013, I vetoed House Bill 183, relative to processing absentee ballots. Maintaining confidence in our elections through a transparent and straightforward system for processing ballots is essential to the ongoing health of our democracy. After reviewing HB 183 and hearing the concerns expressed by the Secretary of State's office through the legislative process, I believe that this legislation would cause increased confusion about the timing of processing absentee ballots, potentially undermining the transparency of the election process. Under current law, all communities across New Hampshire are instructed to begin processing absentee ballots at 1 p.m. This ensures a transparent process where all members of the public and those tasked with oversight of our elections know when ballots are being reviewed. HB 183 would eliminate that set time and leave it to poll workers at each individual voting location to determine when to begin processing absentee ballots without any requirement for advanced notice, so long as the processing begins at least two hours after the polls open. The Senate appropriately realized the problems with this approach, and made changes to ensure that each voting location provided advanced notice to the public of the time that absentee ballots would begin to be processed. Unfortunately, that provision was not agreed to in the committee of conference and the bill as passed provides for no advanced notice. I appreciate the dedication of our local election officials who make our democracy work, and I know that HB 183 was a well-intentioned attempt by sponsors to ease the process for election officials. However, the final version of this bill improves flexibility and efficiency without adequately preserving the element of transparency that is the foundation of our elections system. Efficiency and transparency are not mutually exclusive, and I am confident that we can all work together to pass a bill that will achieve both before the next state-wide election, and I will work with the Legislature to do so. Transparency and public involvement are essential to upholding our long-standing traditions of fair and trusted elections, and I have therefore vetoed this legislation.

July 24, 2013

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 183**, relative to processing absentee ballots, become law?

Rep. Gary Richardson spoke against.

Rep. James Belanger spoke in favor and yielded to questions.

Rep. Burt spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

**YEAS 176 NAYS 163**

**YEAS - 176**

**BELKNAP**

Burchell, Richard  
 Fink, Charles  
 Sylvia, Michael

Comtois, Guy  
 Flanders, Donald  
 Tilton, Franklin

Cormier, Jane  
 Greemore, Robert  
 Vadney, Herbert

Fields, Dennis  
 Holmes, Stephen  
 Worsman, Colette

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
White, Syndi

Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Hunt, John  
Roberts, Kris

Johnson, Jane  
Robertson, Timothy

Parkhurst, Henry

Phillips, Larry

**COOS**

Coulombe, Gary  
Thomas, Yvonne

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Ladd, Rick  
Piper, Wendy

Brown, Rebecca  
Lauer, Linda  
Reilly, Harold

Doolan, Ralph  
Massimilla, Linda  
Shackett, Jeffrey

Gionet, Edmond  
Mulholland, Catherine

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Culbert, Patrick  
Flanagan, Jack  
Graham, John  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Pellegrino, Tony  
Sanborn, Laurie  
Takesian, Charlene  
Winters, Joel

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
Murotake, David  
Ober, Lynne  
Peterson, Lenette  
Sandblade, Emily  
Ulery, Jordan

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gale, Sylvia  
Hikel, John  
Kelley, John  
Marston, Dick  
Murphy, Kelleigh  
Ober, Russell  
Pratt, Calvin  
Stroud, Kathleen  
Villeneuve, Moe

Burt, John  
Coffey, James  
Dobson, Jeremy  
Gargas, Carolyn  
Hinch, Richard  
Lambert, George  
Martel, Andre  
Murphy, Keith  
Palmer, Stephen  
Renzullo, Andrew  
Sweeney, Shawn  
Willette, Robert

**MERRIMACK**

Burns, Scott  
Hoell, J.R.  
McGuire, Carol  
Webb, Leigh

Carey, Lorrie  
Kidder, David  
McGuire, Dan

Ebel, Karen  
Kotowski, Mark  
Walsh, Thomas

Hess, David  
Lockwood, Priscilla  
Watrous, Rick

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Sanders, Elisabeth  
St.James, Kevin  
Tucker, Pamela  
Weyler, Kenneth

Allen, Mary  
Birdsell, Regina  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hayes, Jack  
Kolodziej, Walter  
McMahon, Charles  
Packard, Sherman  
Sapareto, Frank  
Sweeney, Joe  
Ward, Gerald

Azarian, Gary  
Bishop, Franklin  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Lundgren, David  
Milz, David  
Peckham, Michele  
Schroadter, Adam  
Sytek, John  
Waterhouse, Kevin

Baldasaro, Alfred  
Cali-Pitts, Jacqueline  
DeSimone, Debra  
Elliott, Robert  
Friel, William  
Griffin, Mary  
Introne, Robert  
Major, Norman  
Nigrello, Robert  
Rice, Frederick  
Sedensky, John  
Till, Mary  
Webb, James

**STRAFFORD**

Beaudoin, Steven  
Groen, Warren  
Parsons, Robbie

Bickford, David  
Hooper, Dorothea  
Pelletier, Marsha

Bixby, Peter  
Jones, Laura  
Pitre, Joseph

Gray, James  
Mullen, John  
Spang, Judith

**SULLIVAN**

Grenier, James	Osgood, Joe	Rollins, Skip	Smith, Steven
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**NAYS - 163****BELKNAP**

Arsenault, Beth	DiMartino, Lisa	Gulick, Ruth	Huot, David
Raymond, Ian			

**CARROLL**

Buco, Thomas	Lavender, Tom	Ticehurst, Susan
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**CHESHIRE**

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Johnsen, Gladys	Ley, Douglas	Mann, John
Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy	Weed, Charles
Young, Harry			

**COOS**

Hammon, Marcia	Moynihan, Wayne	Theberge, Robert
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**GRAFTON**

Almy, Susan	Benn, Bernard	Cooney, Mary	Ford, Susan
Friedrich, Carol	Harding, Laurie	Higgins, Patricia	Lovett, Sid
Nordgren, Sharon	Pastor, Beatriz	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Boisvert, Ronald	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Cote, David
DiSilvestro, Linda	Eaton, Richard	Gage, Ruth	Garcia, Michael
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Hackel, Paul
Hammond, Jill	Harriott-Gathright, Linda	Heath, Mary	Heden, Ruth
Jack, Martin	Jeudy, Jean	Knowles, Mary Ann	Kopka, Angeline
Leishman, Peter	Levesque, Melanie	Long, Patrick	MacKay, Mariellen
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
O'Flaherty, Tim	O'Neil, William	Porter, Marjorie	Rosenwald, Cindy
Rowe, Robert	Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara
Smith, Timothy	Soucy, Timothy	Souza, Kathleen	Spratt, Stephen
Sullivan, Daniel	Sullivan, Peter	Vail, Suzanne	Vaillancourt, Steve
Walsh, Robert	Warden, Mark	Williams, Kermit	Woodbury, David

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bouchard, Candace	Carson, Clyde
Davis, Frank	Frambach, Mary	Frazer, June	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Karrick, David	Kelly, Sally
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Richardson, Gary	Rogers, Katherine
Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walz, Mary Beth		

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Cahill, Michael
Comerford, Timothy	Cushing, Robert	Flockhart, Eileen	Heffron, Frank
Itse, Daniel	Lovejoy, Patricia	Moody, Marcia	Muns, Chris
Pantelakos, Laura	Scarlotto, Joe	Schlachman, Donna	Sherman, Thomas
Wazlaw, Brian	Whittemore, Lisa		



Baber, William	Berube, Roger	Burke, Rachel	Gardner, Janice
Grassie, Anne	Grossman, Kenneth	Horrigan, Timothy	Hubbard, Pamela
Kaen, Naida	Ketel, Stephen	Malloy, Dennis	Miller, David
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Smith, Marjorie	Stevens, Audrey	Wall, Janet	Ward, Kenneth

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Lefebvre, Benjamin	O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia
Tanner, Linda			

and the veto was sustained.

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 12, 2013, I vetoed House Bill 403, establishing a committee to study end of life decisions. With any discussion of the complex and emotional issues related to end-of-life decisions, our focus must always be first and foremost on helping all of those in our society to fully live their lives with the dignity that they deserve. In New Hampshire, we have approached these issues very seriously and thoughtfully, always seeking to include the input of those who understand these issues best: doctors, patients, advocates for the elderly and those who experience chronic conditions or disabilities, and the people of New Hampshire. This thoughtful process has already produced important laws, including New Hampshire's advanced directive statute (RSA 137-J). In fact, I have just signed into law SB 170, which sought input from numerous stakeholders, ranging from the medical community, patients, advocates for the elderly and people who experience disabilities, the religious community and many others, in order to clarify New Hampshire's advance directive statute. Therefore, I see no need for the study committee outlined by HB 403 and have vetoed the legislation.

July 12, 2013

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 403**, establishing a committee to study end of life decisions, become law?

Rep. Marjorie Smith spoke against and yielded to questions.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

Flanders, Donald	Gulick, Ruth	Luther, Robert	Sylvia, Michael
Vadney, Herbert	Worsman, Colette		

Ahlgren, Christopher	Chandler, Gene	Crawford, Karel	McConkey, Mark
Morrow, Harry	Schmidt, Stephen	Ticehurst, Susan	Umberger, Karen
Wright, Donald			

Berch, Paul	Hunt, John	Mann, John	Parkhurst, Henry
Phillips, Larry	Roberts, Kris	Robertson, Timothy	Shepardson, Marjorie
Weed, Charles			

Coulombe, Gary      Hammon, Marcia      Richardson, Herbert      Thomas, Yvonne

Brown, Rebecca	Gionet, Edmond	Ladd, Rick	Lovett, Sid
Massimilla, Linda	Mulholland, Catherine	Piper, Wendy	Reilly, Harold

**HILLSBOROUGH**

Backus, Robert  
Coffey, James  
Flanagan, Jack  
Hackel, Paul  
Jasper, Shawn  
McNamara, Richard  
Palmer, Stephen  
Sweeney, Shawn  
Winters, Joel

Belanger, James  
Culbert, Patrick  
Gale, Sylvia  
Hansen, Peter  
Long, Patrick  
Murphy, Kelleigh  
Renzullo, Andrew  
Takesian, Charlene  
Woodbury, David

Byron, Frank  
Danielson, David  
Garcia, Michael  
Heden, Ruth  
Marston, Dick  
O'Flaherty, Tim  
Shaw, Barbara  
Ulery, Jordan

Christiansen, Lars  
Dobson, Jeremy  
Graham, John  
Infantine, William  
McCarthy, Michael  
Ober, Russell  
Stroud, Kathleen  
Vaillancourt, Steve

**MERRIMACK**

French, Barbara  
Kotowski, Frank  
Schamberg, Thomas

Hess, David  
Lockwood, Priscilla  
Walz, Mary Beth

Hoell, J.R.  
McGuire, Dan  
Watrous, Rick

Kidder, David  
Rice, Chip

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
DeSimone, Debra  
Flockhart, Eileen  
Grace, Curtis  
Major, Norman  
Nigrello, Robert  
Schlachman, Donna  
Waterhouse, Kevin

Birdsell, Regina  
Devine, James  
Friel, William  
Griffin, Mary  
McKinney, Betsy  
Peckham, Michele  
Sedensky, John  
Webb, James

Chirichiello, Brian  
Emerick, J. Tracy  
Garcia, Marilinda  
Introne, Robert  
Milz, David  
Sanders, Elisabeth  
St.James, Kevin

Danaïs, Romeo  
Fesh, Robert  
Gordon, Richard  
Kolodziej, Walter  
Moody, Marcia  
Sapareto, Frank  
Sytek, John

**STRAFFORD**

Bickford, David  
Ketel, Stephen  
Spang, Judith

Gardner, Janice  
Parsons, Robbie

Gray, James  
Pelletier, Marsha

Hubbard, Pamela  
Schmidt, Peter

**SULLIVAN**

Grenier, James

Osgood, Joe

Rollins, Skip

Tanner, Linda

**NAYS - 218****BELKNAP**

Arsenault, Beth  
DiMartino, Lisa  
Holmes, Stephen

Burchell, Richard  
Fields, Dennis  
Huot, David

Comtois, Guy  
Fink, Charles  
Raymond, Ian

Cormier, Jane  
Greemore, Robert  
Tilton, Franklin

**CARROLL**

Buco, Thomas  
White, Syndi

Cordelli, Glenn

Lavender, Tom

Nelson, Bill

**CHESHIRE**

Ames, Richard  
Johnsen, Gladys  
Weber, Lucy

Butynski, William  
Johnson, Jane  
Young, Harry

Chase, Cynthia  
Ley, Douglas

Eaton, Daniel  
Tatro, Bruce

**COOS**

Moynihan, Wayne

Rappaport, Laurence

Rideout, Leon

Theberge, Robert

**GRAFTON**

Almy, Susan  
Doolan, Ralph  
Higgins, Patricia  
Shackett, Jeffrey  
White, Andrew

Bailey, Brad  
Ford, Susan  
Lauer, Linda  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Nordgren, Sharon  
Sykes, George

Cooney, Mary  
Harding, Laurie  
Pastor, Beatriz  
Townsend, Charles

**HILLSBOROUGH**

Barry, Richard  
Brown, Pamela  
Cebrowski, John  
DiSilvestro, Linda  
Gargas, Carolyn  
Hammond, Jill  
Hinch, Richard  
Kelley, John  
LeBrun, Donald  
MacKay, Mariellen  
Murotake, David  
O'Neil, William  
Porter, Marjorie  
Sanborn, Laurie  
Smith, Timothy  
Sullivan, Daniel  
Walsh, Robert

Beaulieu, Jane  
Burt, John  
Chandlee, Shannon  
Eaton, Richard  
Gidge, Kenneth  
Harriott-Gathright, Linda  
Hopper, Gary  
Knowles, Mary Ann  
Leishman, Peter  
Mangipudi, Latha  
Murphy, Keith  
Ober, Lynne  
Pratt, Calvin  
Sandblade, Emily  
Soucy, Timothy  
Sullivan, Peter  
Warden, Mark

Boehm, Ralph  
Campbell, David  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Heath, Mary  
Jack, Martin  
Kopka, Angeline  
LeVasseur, Richard  
Manley, Jonathan  
Notter, Jeanine  
Pellegrino, Tony  
Rosenwald, Cindy  
Schmidt, Janice  
Souza, Kathleen  
Vail, Suzanne  
Willette, Robert

Boisvert, Ronald  
Carroll, Douglas  
Daniels, Gary  
Gagne, Larry  
Gorman, Mary  
Hikel, John  
Jeudy, Jean  
Lambert, George  
Levesque, Melanie  
Martel, Andre  
O'Brien, Michael  
Peterson, Lenette  
Rowe, Robert  
Shattuck, Gilman  
Spratt, Stephen  
Villeneuve, Moe  
Williams, Kermit

**MERRIMACK**

Alicea, Caroletta  
Carey, Lorrie  
Frambach, Mary  
Hirsch, Geoffrey  
McGuire, Carol  
Ratzki, Mario  
Shurtleff, Stephen  
Webb, Leigh

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Karrick, David  
Moffett, Howard  
Richardson, Gary  
Turcotte, Alan

Bouchard, Candace  
Davis, Frank  
Gile, Mary  
Kelly, Sally  
Myler, Mel  
Rogers, Katherine  
Wallner, Mary Jane

Burns, Scott  
Ebel, Karen  
Henle, Paul  
MacKay, James  
Patten, Dick  
Schuett, Dianne  
Walsh, Thomas

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Call-Pitts, Jacqueline  
Duarte, Joe  
Harris, Jeffrey  
Itse, Daniel  
Mann, Maureen  
Packard, Sherman  
Schroadter, Adam  
Tucker, Pamela  
Whittemore, Lisa

Allen, Mary  
Borden, David  
Comerford, Timothy  
Dumaine, Dudley  
Hayes, Jack  
Kappler, Lawrence  
McMahon, Charles  
Pantelakos, Laura  
Sherman, Thomas  
Ward, Gerald

Azarian, Gary  
Briden, Steven  
Copeland, Timothy  
Elliott, Robert  
Heffron, Frank  
Lovejoy, Patricia  
Muns, Chris  
Rice, Frederick  
Sweeney, Joe  
Wazlaw, Brian

Baldasaro, Alfred  
Cahill, Michael  
Cushing, Robert  
Ferrante, Beverly  
Hodgdon, Bruce  
Lundgren, David  
O'Connor, John  
Scarlott, Joe  
Till, Mary  
Weyler, Kenneth

**STRAFFORD**

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Malloy, Dennis  
Pitre, Joseph  
Stevens, Audrey

Beaudoin, Steven  
Grassie, Anne  
Horrigan, Timothy  
Miller, David  
Rogers, Rose Marie  
Wall, Janet

Berube, Roger  
Groen, Warren  
Jones, Laura  
Mullen, John  
Rollo, Deanna  
Ward, Kenneth

Bixby, Peter  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Smith, Marjorie

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia  
and the veto was sustained.

Gagnon, Raymond  
O'Heame, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Smith, Steven

**GOVERNOR'S VETO MESSAGE ON HB 505**

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 16, 2013, I vetoed House Bill 505, relative to the economic development advisory council. Creating jobs and spurring innovative economic growth are among our highest priorities, but to do so effectively we must ensure that the voices of all stakeholders, from business to local communities to our workers, are represented at the table. When the state's economic development advisory council was established in 2008, we sought to ensure that diverse voices, representing people and businesses across New Hampshire, were informing the work of the Division of Economic Development at the Department of Resources and Economic Development. We must work together, and have all voices at the table, to move our state's economy forward. It is clear that those who worked on and supported HB 505 were well-intentioned in seeking to improve the work of the Economic Development Advisory Council, and changes may be necessary to streamline the work of the council. But this bill as passed could lead to the exclusion of important viewpoints, most notably New Hampshire's workers, who have a crucial stake in New Hampshire's economic development and economic future. I believe we can improve the advisory council's work to strengthen New Hampshire's economic development efforts in a way that maintains input from as wide a range of stakeholders as possible, and I am willing to work with the Legislature to do so. However HB 505 as written does not do enough to include the voices of all those who have a role in economic development, and I therefore have vetoed the legislation.

July 16, 2013

Respectfully submitted, Margaret Wood Hassan, Governor

The question being, notwithstanding the Governor's veto, shall **HB 505**, relative to the economic development advisory council, become law?

Rep. Cebrowski spoke in favor.

Pursuant to the New Hampshire Constitution, Part II, Article 44, a roll call, requiring a two-thirds vote of the House for approval, was taken.

**YEAS 165 NAYS 175****YEAS - 165****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cornier, Jane  
Greemore, Robert  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Hunt, John  
Robertson, Timothy

Johnson, Jane

Phillips, Larry

Roberts, Kris

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Massimilla, Linda

Doolan, Ralph  
Piper, Wendy

Gionet, Edmond  
Reilly, Harold

Ladd, Rick  
Shackett, Jeffrey

**HILLSBOROUGH**

Barry, Richard  
Burt, John  
Coffey, James  
Flanagan, Jack

Beaulieu, Jane  
Byron, Frank  
Culbert, Patrick  
Gagne, Larry

Belanger, James  
Cebrowski, John  
Daniels, Gary  
Garcia, Michael

Boehm, Ralph  
Christiansen, Lars  
Danielson, David  
Gargas, Carolyn

Graham, John  
Hinch, Richard  
Lambert, George  
Martel, Andre  
Murphy, Keith  
Palmer, Stephen  
Renzullo, Andrew  
Shaw, Barbara  
Ulery, Jordan

Hammond, Jill  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Pellegrino, Tony  
Rowe, Robert  
Souza, Kathleen  
Villeneuve, Moe

Hansen, Peter  
Infantine, William  
LeVasseur, Richard  
Murotake, David  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Warden, Mark

Hikel, John  
Jasper, Shawn  
Marston, Dick  
Murphy, Kelleigh  
Ober, Russell  
Pratt, Calvin  
Sandblade, Emily  
Takesian, Charlene

### MERRIMACK

Hess, David  
Lockwood, Priscilla  
Watrous, Rick

Hoell, J.R.  
McGuire, Carol

Kidder, David  
McGuire, Dan

Kotowski, Frank  
Walsh, Thomas

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Gordon, Richard  
Hayes, Jack  
Kolodziej, Walter  
McMahon, Charles  
Packard, Sherman  
Sapareto, Frank  
St.James, Kevin  
Waterhouse, Kevin

Allen, Mary  
Birdsell, Regina  
DeSimone, Debra  
Elliott, Robert  
Flockhart, Eileen  
Grace, Curtis  
Hodgdon, Bruce  
Lundgren, David  
Milz, David  
Peckham, Michele  
Scarlotta, Joe  
Sweeney, Joe  
Webb, James

Azarian, Gary  
Chirichiello, Brian  
Devine, James  
Emerick, J. Tracy  
Friel, William  
Griffin, Mary  
Introne, Robert  
Major, Norman  
Nigrello, Robert  
Rice, Frederick  
Schroader, Adam  
Sytek, John  
Weyler, Kenneth

Baldasaro, Alfred  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Garcia, Marilinda  
Harris, Jeffrey  
Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Sanders, Elisabeth  
Sedensky, John  
Tucker, Pamela

### STRAFFORD

Beaudoin, Steven  
Groen, Warren  
Pitre, Joseph

Bickford, David  
Jones, Laura  
Spang, Judith

Gardner, Janice  
Mullen, John

Gray, James  
Parsons, Robbie

### SULLIVAN

Grenier, James  
Smith, Steven

Osgood, Joe

Rollins, Skip

Schmidt, Andrew

### NAYS - 175

### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

### CARROLL

Buco, Thomas

Lavender, Tom

Ticehurst, Susan

White, Syndi

### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Weed, Charles

Berch, Paul  
Johnsen, Gladys  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Ley, Douglas  
Tatro, Bruce

Chase, Cynthia  
Mann, John  
Weber, Lucy

### COOS

Coulombe, Gary  
Thomas, Yvonne

Hammon, Marcia

Moynihan, Wayne

Theberge, Robert

**GRAFTON**

Almy, Susan	Benn, Bernard	Brown, Rebecca	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Higgins, Patricia
Lauer, Linda	Lovett, Sid	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Smith, Suzanne	Sykes, George	Townsend, Charles
White, Andrew			

**HILLSBOROUGH**

Backus, Robert	Boisvert, Ronald	Brown, Pamela	Campbell, David
Carroll, Douglas	Chandley, Shannon	Cote, David	DiSilvestro, Linda
Dobson, Jeremy	Eaton, Richard	Gage, Ruth	Gale, Sylvia
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Hackel, Paul
Harriott-Gathright, Linda	Heath, Mary	Heden, Ruth	Jack, Martin
Jeudy, Jean	Kelley, John	Knowles, Mary Ann	Kopka, Angeline
Leishman, Peter	Levesque, Melanie	Long, Patrick	MacKay, Mariellen
Mangipudi, Latha	Manley, Jonathan	McNamara, Richard	O'Brien, Michael
O'Flaherty, Tim	O'Neil, William	Porter, Marjorie	Rosenwald, Cindy
Schmidt, Janice	Shattuck, Gilman	Smith, Timothy	Soucy, Timothy
Spratt, Stephen	Sullivan, Daniel	Sullivan, Peter	Sweeney, Shawn
Vail, Suzanne	Vaillancourt, Steve	Walsh, Robert	Willette, Robert
Williams, Kermit	Winters, Joel	Woodbury, David	

**MERRIMACK**

Alicea, Caroletta	Bartlett, Christy	Bouchard, Candace	Burns, Scott
Carey, Lorrie	Carson, Clyde	Davis, Frank	Ebel, Karen
Frambach, Mary	Frazer, June	French, Barbara	Gile, Mary
Henle, Paul	Hirsch, Geoffrey	Karrick, David	Kelly, Sally
MacKay, James	Moffett, Howard	Myler, Mel	Patten, Dick
Ratzki, Mario	Rice, Chip	Richardson, Gary	Rogers, Katherine
Schamberg, Thomas	Schuett, Dianne	Shurtleff, Stephen	Turcotte, Alan
Wallner, Mary Jane	Walz, Mary Beth	Webb, Leigh	

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Cahill, Michael
Cali-Pitts, Jacqueline	Comerford, Timothy	Cushing, Robert	Heffron, Frank
Itse, Daniel	Lovejoy, Patricia	Mann, Maureen	Moody, Marcia
Muns, Chris	Pantelakos, Laura	Schlachman, Donna	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burke, Rachel
Grossman, Kenneth	Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela
Kaen, Naïda	Ketel, Stephen	Malloy, Dennis	Miller, David
Pelletier, Marsha	Perry, Robert	Rogers, Rose Marie	Rollo, Deanna
Schmidt, Peter	Smith, Marjorie	Stevens, Audrey	Wall, Janet

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
Lefebvre, Benjamin	O'Heame, Andrew	Sweeney, Cynthia	Tanner, Linda

and the veto was sustained.

**AMENDMENT TO HOUSE RULES**

Reps. Shurtleff and Chandler moved the adoption of an amendment to House Rules, as proposed by the Rules Committee and as printed in the House Calendar, to House Rule 65 adding 2014 deadlines.

Wednesday, January 8, 2014 (adopted) Introduction of 2014 Bills

Thursday, February 6, 2014 Report House Bills going to 2<sup>nd</sup> committee

Thursday, February 13, 2014 Act on House Bills going to 2<sup>nd</sup> committee

Thursday, March 6, 2014	Report single committee House Bills
Thursday, March 20, 2014	Report all remaining House Bills
Thursday, March 27, 2014	Act on remaining House Bills-CROSSOVER
Thursday, April 17, 2014	Report Senate Bills going to a 2 <sup>nd</sup> committee
Thursday, April 24, 2014	Act on Senate Bills going to a 2 <sup>nd</sup> committee
Thursday, May 8, 2014	Report all remaining Senate Bills
Thursday, May 15, 2014	Act on all remaining Senate Bills
Thursday, May 22, 2014	Form Committees of Conference
Friday, May 30, 2014 at 4:00 pm	Sign-off Committee of Conference reports
Thursday, June 5, 2014	Act on Committee of Conference reports

Adopted by the necessary two-thirds vote.

### UNANIMOUS CONSENT

Reps. Shattuck, Rollins, Timothy Smith and George Lambert addressed the House.

### MOTION TO PRINT REMARKS

Rep. Shurtleff moved that the remarks made by Rep. Shattuck be printed in the Permanent Journal.  
Adopted.

### REMARKS

**Rep. Shattuck:** Thank you, Madam Speaker, and for the privilege to come before this body with unanimous consent. I am speaking to you about Herbert Hansen a former member of this house who passed away on December 15, 2013 after a period of declining health. Some knew him as Pete although most of us knew him as Herb. While I did not know Herb as a colleague in this body, I knew him as a friend and neighbor in Hillsborough. In fact, we ran against each other for the seat in Hillsborough, the seat that I represent here today. He was born in Poughkeepsie, New York on May 11, 1929. Herb graduated from Brown University in 1951 with a commission in the United States Marine Corps as a 2nd lieutenant and served during the Korean Conflict. He worked in marketing at International Business Machines for 32 years from 1953 to 1986. After retiring from IBM, he first served on the Hillsborough Planning Board from 1985 to 1987, then as a Selectman for the Town of Hillsborough from 1987 to 1993. Later, Herb represented Hillsborough in this House, serving as chairman of the Criminal Justice Committee for three terms from 1995 to 2000. Herb was steadfast in his opposition to the expansion of gambling in New Hampshire. He and Senator Jim Rubens served as co-chairs of the Granite State Coalition Against Expanded Gambling. Herb continued in this role after the end of his service in the House. He and Jim successfully led the charge against expanded gambling. As a music major in college, he was an accomplished pianist. Herb took great pleasure at the keyboard. He regularly played at Hillsborough House, Concord Regional VNA Hospice House and Pine Rock Manor from his repertoire of more than 200 songs and hymns. With wife of 38 years, Coralie, Herb was active for many years at Smith Church in Hillsborough and more recently at First Congregational Church in Hopkinton, especially at the piano or leading the singing, even up to a few weeks of his passing. He is survived by Coralie, his five children, 21 grandchildren and 3 great-grandchildren. I was not real close to Herb; yet I always considered him a true friend. I remember standing in his kitchen and how he always liked to give me a hard time, especially on anything political. Yet I do believe that on important issues we pretty much agreed. Whether it was issues that came to town meeting in his selectman days or in Concord in this House, his was a calming voice working for solutions; something that is too often missing today. He was creative, mischievous and always a good and trusted friend to all who knew him in business, in this House, or in public or private life. He enjoyed his family and countless friends. He was generous with his talents and good nature and brought enjoyment through his entertainment of those less fortunate. Herb, we miss you - Semper Fi. Thank you Madame Speaker and colleagues.

### SENATE MESSAGES

At the time of adjournment of the 2013 Senate Session, the following entitled House Bills were made Inexpedient to Legislate under Senate rule 3-23.

**HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force.

**HB 301**, relative to notice of sale in foreclosure proceedings.

**HB 370-FN**, repealing the education tax credit program.

**HB 373**, establishing a right of discovery to a carrier's investigation of claims in workers' compensation cases.

**HB 520**, establishing a committee to study implementing Keno in New Hampshire.

The following entitled House Resolutions sent up from the House of Representatives were not admitted into the Senate under Senate Rule 3-26.

**HCR 1**, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans.

**HCR 2**, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

**HJR 1**, directing the joint legislative historical committee to acquire and display a portrait of suffragist Marilla Marks Ricker.

## RECESS

### ADJOURN FROM 2013 SESSION

Rep. Shurtleff moved that the House adjourn from the 2013 Session.  
Adopted.



## 2013 SPECIAL SESSION HOUSE JOURNAL NO. 1

Thursday, November 7, 2013

The House assembled at 10:00 a.m., on the date set in the Call for Special Session of the House by the Governor, and was called to order by the Speaker.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Prayer was offered by House Chaplain, Reverend Jared Rardin, Pastor of the South Congregational Church in Concord.

O Fount of every blessing, we give You thanks for drawing creation out of the well of Your goodness, and for pouring out love on all who thirst for good news. We confess that we are thirsty too, and we long to drink deeply. Wash over us with Your living water and bring us to life and health. If our lives have become shallow, deepen them. If our ideas have dried up, revive them. If our priorities have become confused, clarify them. If our horizons have become too narrow, widen them. If our thinking has fallen prisoner to fear of what others might think, set it free. If our courage for doing what is right has receded, bring it back to life. If our instinct is to do only what is best for us, set us back on the path of that which is good and right for all. Soak us in Your presence. Drench us with Your love. Release us from all that burdens us and renew us with Your life-changing mercy. In Your Holy, extravagant, compassionate name we pray. Amen.

Representative Jill Shaffer Hammond, member from Peterborough, led the Pledge of Allegiance.

The National Anthem was led by the members from Walpole, Representatives Tara Sad and Lucy Weber.

### LEAVES OF ABSENCE

Reps. Birdsell, Bishop, Bradley, Susan Emerson, Larry Gagne, Helmstetter, Knowles, Amy Perkins, Chip Rice, Sanders and Stephen Schmidt, the day, illness.

Reps. Ahlgren, Alicea, Christopher Andrews, Azarian, Bailey, James Belanger, Danielson, Friel, Marilinda Garcia, Hayes, Higgins, Hikel, Hinch, Hodgdon, Introne, Sally Kelly, Leishman, Lerandau, Meaney, Menear, Milz, Myler, Nigrello, Pelletier, Piper, Pitre, Reed, Gary Richardson, Schuett, Schroader, Daniel Sullivan, Tasker, Wallner and Thomas Walsh, the day, important business.

Reps. Lawrence Perkins, Marjorie Smith and Spang, the day, illness in the family.

### INTRODUCTION OF GUESTS

Darah Kehnemuyu, guest of Rep. Berch. Jim Alexander, Martin Fairall and Peter Graves, guests of Speaker Norelli. Rep.-Elect Latha Mangipudi of Nashua, guest of the House.

### INTRODUCTION OF SPECIAL GUESTS

Nick Alexander of Lebanon, and Chris Lamb and Nick Fairall of Andover, the top three finishers in the US Ski Jumping Large Hill National Championship and competitors for the US Olympic Team, guests of the House.

### COMMUNICATION

September 17, 2013

The Honorable Terie Norelli, Speaker  
N. H. House of Representatives  
State House  
Concord, N. H.

Dear Madame Speaker:

I write with great regret to inform you that a change of residence is making it necessary for me to resign as representative of District 6 of Strafford County.

It has been an honor and a highly rewarding experience serving with you and all the members of the House of Representatives, and especially with my colleagues on the Committee on Criminal Justice and Public Safety. I am truly sorry that circumstances make it impossible for me to complete my term.

I send my best wishes to you and all the members of the House in your continuing service to the people of New Hampshire.

Yours truly,  
Philip E. Ginsburg

### COMMUNICATION

October 2, 2013

Ms. Karen Wadsworth  
Clerk of the House of Representatives  
State House  
Concord, NH 03301

Dear Karen:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Hillsborough District No. 14 (Manchester Ward-7)

Mary Heath, d, Manchester (76 Island Pond Rd.) 03109

Sincerely,  
William M. Gardner, Secretary of State

### CALL FOR THE SPECIAL SESSION

#### A PROCLAMATION

**BY HER EXCELLENCY MARGARET WOOD HASSAN, GOVERNOR  
WITH THE ADVICE OF THE HONORABLE EXECUTIVE COUNCIL**

**WEDNESDAY, OCTOBER 16, 2013**

WHEREAS, the welfare of the people of the State of New Hampshire requires the convening of the General Court for the purpose of enacting legislation to ensure the citizens of New Hampshire are provided better access to affordable health care;

WHEREAS, the Report of the Commission to Study Expansion of Medicaid Eligibility has recommended that New Hampshire adopt the New Hampshire Access to Health Program proposal for expansion of Medicaid coverage for low income New Hampshire adults;

WHEREAS, the Executive Department in calling such a session intends an agenda limited to the issue of a New Hampshire plan to expand Medicaid eligibility consistent with the Affordable Care Act, effective on or about January 1, 2014;

NOW, THEREFORE, the Governor, with the advice of the Council, on a motion made and duly seconded, hereby exercise their executive legislative authority under Part 2, Article 50 of the New Hampshire Constitution and summon the General Court to convene a Special Session on Thursday, November 7, 2013 at 10:00 a.m. and ending on Thursday, November 21<sup>st</sup>, 2013.

Margaret Wood Hassan, Governor

### CALL OF THE ROLL

#### BELKNAP COUNTY

<b>Dist. No. 1 (1)</b>	Ruth P. Gulick, d
<b>Dist. No. 2 (4)</b>	Lisa DiMartino, d; Robert H. Greemore, r; Herbert R. Vadney, r; Colette Worsman, r
<b>Dist. No. 3 (4)</b>	Donald H. Flanders, r; David O. Huot, d; Robert A. Luther, r; Franklin T. Tilton, r
<b>Dist. No. 4 (2)</b>	Dennis H. Fields, r; Ian P. Raymond, d
<b>Dist. No. 5 (2)</b>	Richard B. Burchell, r; Stephen Holmes, r
<b>Dist. No. 6 (2)</b>	Charles R. Fink, r; Michael J. Sylvia, r
<b>Dist. No. 7 (1)</b>	Guy Comtois, r
<b>Dist. No. 8 (1)</b>	Jane Cormier, r
<b>Dist. No. 9 (1)</b>	Beth R. Arsenault, d

#### CARROLL COUNTY

<b>Dist. No. 1 (1)</b>	Gene G. Chandler, r
<b>Dist. No. 2 (3)</b>	Thomas L. Buco, d; Karen C. Umberger, r; Syndi G. White, d

<b>Dist. No. 3 (2)</b>	Mark E. McConkey, r; Susan J. Ticehurst, d
<b>Dist. No. 4 (2)</b>	Glenn Cordelli, r; Karel A. Crawford, r
<b>Dist. No. 5 (3)</b>	Tom Lavender, d; Harry C. Merrow, r; Bill G. Nelson, r
<b>Dist. No. 6 (2)</b>	
<b>Dist. No. 7 (1)</b>	Edward A. Butler, d
<b>Dist. No. 8 (1)</b>	Donald S. Wright, r

### CHESHIRE COUNTY

<b>Dist. No. 1 (4)</b>	Paul S. Berch, d; William Butynski, d; Tara A. Sad, d; Lucy M. Weber, d
<b>Dist. No. 2 (1)</b>	John E. Mann, d
<b>Dist. No. 3 (1)</b>	Daniel A. Eaton, d
<b>Dist. No. 4 (1)</b>	
<b>Dist. No. 5 (1)</b>	
<b>Dist. No. 6 (1)</b>	Timothy N. Robertson, d
<b>Dist. No. 7 (1)</b>	Gladys Johnsen, d
<b>Dist. No. 8 (1)</b>	Cynthia L. Chase, d
<b>Dist. No. 9 (2)</b>	Richard Ames, d; Douglas A. Ley, d
<b>Dist. No. 10 (1)</b>	Marjorie J. Shepardson, d
<b>Dist. No. 11 (2)</b>	John B. Hunt, r
<b>Dist. No. 12 (2)</b>	Jane B. Johnson, r
<b>Dist. No. 13 (1)</b>	Henry A. L. Parkhurst, d
<b>Dist. No. 14 (1)</b>	Harry Young, d
<b>Dist. No. 15 (1)</b>	Bruce L. Tatro, d
<b>Dist. No. 16 (2)</b>	Charles F. Weed, d

### COOS COUNTY

<b>Dist. No. 1 (2)</b>	Larry S. Enman, d; Laurence M. Rappaport, r
<b>Dist. No. 2 (1)</b>	Wayne T. Moynihan, d
<b>Dist. No. 3 (3)</b>	Gary M. Coulombe, d&r; Robert L. Theberge, d; Yvonne D. Thomas, d
<b>Dist. No. 4 (1)</b>	Herbert D. Richardson, r
<b>Dist. No. 5 (1)</b>	Marcia Hammon, d
<b>Dist. No. 6 (1)</b>	William A. Hatch, d
<b>Dist. No. 7 (1)</b>	Leon H. Rideout, r

### GRAFTON COUNTY

<b>Dist. No. 1 (2)</b>	Ralph J. Doolan, r; Linda Massimilla, d
<b>Dist. No. 2 (1)</b>	Rebecca A. Brown, d
<b>Dist. No. 3 (1)</b>	Susan M. Ford, d
<b>Dist. No. 4 (1)</b>	Rick M. Ladd, r
<b>Dist. No. 5 (1)</b>	Edmond D. Gionet, r
<b>Dist. No. 6 (1)</b>	
<b>Dist. No. 7 (1)</b>	James D. Aguiar, d
<b>Dist. No. 8 (3)</b>	Mary R. Cooney, d; Sid Lovett, d; Suzanne J. Smith, d
<b>Dist. No. 9 (2)</b>	Jeffrey S. Shackett, r
<b>Dist. No. 10 (1)</b>	
<b>Dist. No. 11 (1)</b>	Charles L. Townsend, d
<b>Dist. No. 12 (4)</b>	Bernard L. Benn, d; Beatriz Pastor, d
<b>Dist. No. 13 (4)</b>	Susan W. Almy, d; Laurie Harding, d; George E. Sykes, d; Andrew A. White, d
<b>Dist. No. 14 (1)</b>	
<b>Dist. No. 15 (1)</b>	Linda D. Lauer, d
<b>Dist. No. 16 (1)</b>	Carol H. Friedrich, d
<b>Dist. No. 17 (1)</b>	Catherine Mulholland, d

### HILLSBOROUGH COUNTY

<b>Dist. No. 1 (2)</b>	Marjorie A. Porter, d; Gilman C. Shattuck, d
<b>Dist. No. 2 (3)</b>	Evelyn M. Connor, d; Gary S. Hopper, r; Neal M. Kurk, r
<b>Dist. No. 3 (1)</b>	Jonathan F. Manley, d

- Dist. No. 4 (2)** Stephen P. Spratt, d; Kermit R. Williams, d  
**Dist. No. 5 (2)** William L. O'Brien, r; David Woodbury, d  
**Dist. No. 6 (5)** John A. Burt, r; Ruth E. Gage, d  
**Dist. No. 7 (6)** John W. Cebrowski, r; John A. Graham, r; Keith Murphy, r; Kelleigh D. Murphy, r; Moe Villeneuve, r  
**Dist. No. 8 (2)** Jeffrey P. Goley, d; Peter E. Ramsey, d  
**Dist. No. 9 (2)** Linda A. DiSilvestro, d; William J. O'Neil, d  
**Dist. No. 10 (2)** Jean L. Jeudy, d; Peter M. Sullivan, d  
**Dist. No. 11 (2)** Robert M. Walsh, d  
**Dist. No. 12 (2)**  
**Dist. No. 13 (2)** William J. Infantine, r  
**Dist. No. 14 (2)** Mary Heath, d  
**Dist. No. 15 (2)** Steve Vaillancourt, r  
**Dist. No. 16 (2)** David McCloskey, d; Barbara E. Shaw, d  
**Dist. No. 17 (2)**  
**Dist. No. 18 (2)** Emily C. Sandblade, r; Joel F. Winters, d  
**Dist. No. 19 (2)** Robert A. Backus, d; Dick A. Marston, r  
**Dist. No. 20 (2)** Ralph G. Boehm, r; Frank A. Byron, r  
**Dist. No. 21 (8)** Richard W. Barry, r; Brenda E. Grady, d; Jeanine M. Notter, r; Tony J. Pellegrino, r; Lenette M. Peterson, r; Philip N. Straight, r; Kathleen M. Stroud, r  
**Dist. No. 22 (3)** Shannon E. Chandley, d; Peter T. Hansen, r; Robert H. Rowe, r  
**Dist. No. 23 (4)** Ruth Heden, d; Stephen J. Palmer, r; Robert F. Willette, r  
**Dist. No. 24 (2)** Jill Shaffer Hammond, d  
**Dist. No. 25 (2)** James E. Coffey, r; James A. Parison, r  
**Dist. No. 26 (2)** Jack B. Flanagan, r; Melanie A. Levesque, d  
**Dist. No. 27 (2)** Carolyn M. Gargas, r  
**Dist. No. 28 (3)** Sylvia E. Gale, d; Angeline A. Kopka, d; Janice E. Schmidt, d  
**Dist. No. 29 (3)** Paul L. Hackel, Michael J. McCarthy, r; Suzanne M. Vail, d  
**Dist. No. 30 (3)** Mariellen J. MacKay, d; Brian D. Rhodes, d; Cindy Rosenwald, d  
**Dist. No. 31 (3)** Pamela T. Brown, d; David E. Cote, d; Mary J. Gorman, d  
**Dist. No. 32 (3)** John D. Kelley, d; Donald L. LeBrun, r; David K. Murotake, r  
**Dist. No. 33 (3)** Efstathia C. Booras, d; David B. Campbell, d; Kenneth N. Gidge, d  
**Dist. No. 34 (3)** Douglas L. Carroll, d; Timothy A. Soucy, d  
**Dist. No. 35 (3)** Daniel C. Hansberry, d; Mary S. Nelson, d  
**Dist. No. 36 (3)** Linda Harriott-Gathright, d; Martin L. Jack, d; Michael B. O'Brien, d  
**Dist. No. 37 (11)** Lars T. Christiansen, r; Patrick L. Culbert, r; Robert H. Haefner, r; Shawn N. Jasper, r; Richard D. LeVasseur, r; Lynne M. Ober, r; Russell T. Ober, r; Andrew Renzullo, r; Charlene F. Takesian, r; Jordan G. Ulery, r  
**Dist. No. 38 (2)** Richard S. Eaton, d; Richard D. McNamara, d  
**Dist. No. 39 (1)** Mark Warden, r  
**Dist. No. 40 (1)** Gary L. Daniels, r  
**Dist. No. 41 (1)** Laurie J. Sanborn, r  
**Dist. No. 42 (2)** Patrick T. Long, d  
**Dist. No. 43 (3)** Kathleen F. Souza, r  
**Dist. No. 44 (2)** George A. Lambert, r; Andre A. Martel, r  
**Dist. No. 45 (2)** Jane E. Beaulieu, d; Ronald R. Boisvert, d

### MERRIMACK COUNTY

- Dist. No. 1 (1)** Mario F. Ratzki, d  
**Dist. No. 2 (2)** Scott A. Burns, d  
**Dist. No. 3 (2)** Joy K. Tilton, d; Leigh A. Webb, d  
**Dist. No. 4 (1)** Thomas C. Schamberg, d  
**Dist. No. 5 (2)** Karen E. Ebel, d; David H. Kidder, r  
**Dist. No. 6 (2)** Barbara C. French, d; Geoffrey D. Hirsch, d  
**Dist. No. 7 (1)** Clyde J. Carson, d  
**Dist. No. 8 (1)**  
**Dist. No. 9 (2)** Priscilla P. Lockwood, r; Howard Moffett, d

<b>Dist. No. 10 (3)</b>	
<b>Dist. No. 11 (1)</b>	Stephen J. Shurtleff, d
<b>Dist. No. 12 (1)</b>	Paul J. Henle, d
<b>Dist. No. 13 (1)</b>	June M. Frazer, d
<b>Dist. No. 14 (1)</b>	James R. MacKay, d
<b>Dist. No. 15 (1)</b>	Jane J. Hunt, d
<b>Dist. No. 16 (1)</b>	
<b>Dist. No. 17 (1)</b>	Dick W. Patten, d
<b>Dist. No. 18 (1)</b>	Candace C. W. Bouchard, d
<b>Dist. No. 19 (1)</b>	Christy D. Bartlett, d
<b>Dist. No. 20 (3)</b>	Frank W. Davis, d
<b>Dist. No. 21 (2)</b>	Mary E. Frambach, d; Dan McGuire, r
<b>Dist. No. 22 (1)</b>	Alan J. Turcotte, d
<b>Dist. No. 23 (3)</b>	J. R. Hoell, r; Mary Beth Walz, d
<b>Dist. No. 24 (4)</b>	David W. Hess, r; Frank R. Kotowski, r; Todd P. Smith, r
<b>Dist. No. 25 (1)</b>	David B. Karrick, d
<b>Dist. No. 26 (1)</b>	Lorrie J. Carey, d
<b>Dist. No. 27 (2)</b>	Mary Stuart Gile, d
<b>Dist. No. 28 (1)</b>	Katherine D. Rogers, d
<b>Dist. No. 29 (1)</b>	Carol M. McGuire, r

### ROCKINGHAM COUNTY

<b>Dist. No. 1 (1)</b>	
<b>Dist. No. 2 (3)</b>	Romeo Danaïs, r; Joe Duarte, r
<b>Dist. No. 3 (3)</b>	Kathleen M. Hoelzel, r; Lawrence M. Kappler, r
<b>Dist. No. 4 (5)</b>	Gene P. Charron, r; James E. Devine, r; Dudley D. Dumaine, r
<b>Dist. No. 5 (7)</b>	Alfred P. Baldasaro, r; David C. Lundgren, r; Betsy McKinney, r; Sherman A. Packard, r; Lisa I. Whittemore, d
<b>Dist. No. 6 (10)</b>	Brian K. Chirichiello, r; Beverly A. Ferrante, r; Robert M. Fesh, r; John T. O'Connor, r; Frank V. Sapareto, r; Mary L. Till, d; James C. Webb, r
<b>Dist. No. 7 (4)</b>	Mary E. Griffin, r; Walter Kolodziej, r; Charles E. McMahon, r; Kevin K. Waterhouse, r
<b>Dist. No. 8 (9)</b>	Ronald J. Belanger, r; Patrick J. Bick, r; Robert J. Elliott, r; Anne K. Priestley, r; Joe Sweeney, r; John Sytek, r
<b>Dist. No. 9 (2)</b>	Jeffrey F. Harris, r
<b>Dist. No. 10 (1)</b>	Daniel C. Itse, r
<b>Dist. No. 11 (1)</b>	
<b>Dist. No. 12 (1)</b>	
<b>Dist. No. 13 (4)</b>	John B. Sedensky, r; Kevin P. St. James, r; Kenneth L. Weyler, r
<b>Dist. No. 14 (4)</b>	Debra L. DeSimone, r; Norman L. Major, r
<b>Dist. No. 15 (1)</b>	Mary M. Allen, r
<b>Dist. No. 16 (1)</b>	
<b>Dist. No. 17 (3)</b>	Michael D. Cahill, d; Marcia G. Moody, d
<b>Dist. No. 18 (4)</b>	Steven J. Briden, d; Eileen C. Flockhart, d; Frank H. Heffron, d; Donna L. Schlachman, d
<b>Dist. No. 19 (2)</b>	Patrick F. Abrami, r; Timothy D. Copeland, r
<b>Dist. No. 20 (3)</b>	Aboul B. Khan, r
<b>Dist. No. 21 (4)</b>	Robert R. Cushing, d, J. Tracy Emerick, r; Chris Muns, d; Frederick C. Rice, r
<b>Dist. No. 22 (1)</b>	Michele S. Peckham, r
<b>Dist. No. 23 (1)</b>	Pamela Z. Tucker, r
<b>Dist. No. 24 (2)</b>	David A. Borden, d; Thomas M. Sherman, d
<b>Dist. No. 25 (1)</b>	Laura C. Pantelakos, d
<b>Dist. No. 26 (1)</b>	Terie Norelli, d
<b>Dist. No. 27 (1)</b>	
<b>Dist. No. 28 (1)</b>	Gerald Ward, d
<b>Dist. No. 29 (1)</b>	Brian Wazlaw, d
<b>Dist. No. 30 (1)</b>	Jacqueline A. Cali-Pitts, d

<b>Dist. No. 31 (1)</b>	
<b>Dist. No. 32 (1)</b>	Maureen R. Mann, d
<b>Dist. No. 33 (1)</b>	Timothy P. Comerford, r
<b>Dist. No. 34 (1)</b>	
<b>Dist. No. 35 (1)</b>	Richard E. Gordon, r
<b>Dist. No. 36 (1)</b>	Patricia T. Lovejoy, d
<b>Dist. No. 37 (1)</b>	E. Elaine Andrews-Ahearn, d

### STRAFFORD COUNTY

<b>Dist. No. 1 (2)</b>	John A. Mullen, r; Robbie L. Parsons, r
<b>Dist. No. 2 (2)</b>	Rachel B. Burke, d
<b>Dist. No. 3 (2)</b>	David A. Bickford, r; Robert J. Perry, d
<b>Dist. No. 4 (2)</b>	Kenneth Grossman, d; Dennis J. Malloy, d
<b>Dist. No. 5 (1)</b>	Naida L. Kaen, d
<b>Dist. No. 6 (5)</b>	Timothy O. Horrigan, d; Janet G. Wall, d&r
<b>Dist. No. 7 (1)</b>	Audrey M. Stevens, d
<b>Dist. No. 8 (1)</b>	James P. Gray, r
<b>Dist. No. 9 (1)</b>	Steven P. Beaudoin, r
<b>Dist. No. 10 (1)</b>	Warren J. Groen, r
<b>Dist. No. 11 (1)</b>	Anne C. Grassie, d
<b>Dist. No. 12 (1)</b>	Pamela J. Hubbard, d
<b>Dist. No. 13 (1)</b>	James Verschuere, d
<b>Dist. No. 14 (1)</b>	William S. Baber, d
<b>Dist. No. 15 (1)</b>	Janice S. Gardner, d
<b>Dist. No. 16 (1)</b>	Dorothea D. Hooper, d
<b>Dist. No. 17 (3)</b>	Peter W. Bixby, d; Greg Burdwood, d; Stephen M. Ketel, d
<b>Dist. No. 18 (3)</b>	Roger R. Berube, d; Deanna S. Rollo, d; Dale S. Spainhower, d
<b>Dist. No. 19 (1)</b>	Peter B. Schmidt, d
<b>Dist. No. 20 (1)</b>	
<b>Dist. No. 21 (1)</b>	Kenneth J. Ward, d
<b>Dist. No. 22 (1)</b>	Rose Marie Rogers, d
<b>Dist. No. 23 (1)</b>	David P. Miller, d
<b>Dist. No. 24 (1)</b>	Laura M. Jones, r
<b>Dist. No. 25 (1)</b>	

### SULLIVAN COUNTY

<b>Dist. No. 1 (2)</b>	Benjamin P. Lefebvre, d; Andrew R. Schmidt, d
<b>Dist. No. 2 (1)</b>	Suzanne H. Gottling, d
<b>Dist. No. 3 (1)</b>	Andrew S. O'Hearne, d
<b>Dist. No. 4 (1)</b>	Joe Osgood, r
<b>Dist. No. 5 (1)</b>	Raymond G. Gagnon, d
<b>Dist. No. 6 (2)</b>	Virginia Irwin, d
<b>Dist. No. 7 (1)</b>	James L. Grenier, r
<b>Dist. No. 8 (1)</b>	Cynthia P. Sweeney, d
<b>Dist. No. 9 (1)</b>	Linda L. Tanner, d
<b>Dist. No. 10 (1)</b>	John R. Cloutier, d
<b>Dist. No. 11 (1)</b>	Steven D. Smith, r

With 321 members having answered the call, the Chair declared a quorum present.

### ADOPTION OF RULES

Reps. Shurtleff and Chandler moved that the House adopt Rules, as proposed by the Rules Committee, for the 2013 Special Session.

### 2013 HOUSE SPECIAL SESSION RULES

#### DUTIES OF THE SPEAKER

1. Calling the body to order. The Speaker shall take the chair at precisely the hour to which the House has adjourned and shall immediately call the members to order.
2. Decorum, order and appeal. The Speaker shall preserve decorum and order, may speak on points

of order in preference to other members, and shall decide questions of order. The decision of the Speaker on a question of order shall be conclusive unless the decision is immediately appealed to the House. The House shall decide the appeal by a majority vote of those members present and voting.

3. Appointing committees. The Speaker shall appoint all committees unless otherwise directed by the House.

4. Referral of bills, etc., to committees. The Speaker shall refer all bills, resolutions, memorials, accounts and other matters coming before the House to a committee unless otherwise ordered by the House. The Speaker may refer the same jointly to two committees or to a special committee.

5. Voting: conditions of. The Speaker shall not be called on to vote unless the vote would be decisive. If the vote is tied after the Speaker has voted, the question shall be lost.

6. Signing of bills, warrants, subpoenas, etc. The Speaker shall sign all bills, resolutions, and addresses after passage or enrollment. All warrants, subpoenas and other processes issued by order of the House shall be signed by the Speaker and attested to by the clerk.

7. Authority to clear gallery. The Speaker or chairman of the committee of the whole House shall have the power to order the gallery cleared in cases of any disturbance or disorderly conduct.

8. Designating a substitute to preside. The Speaker shall have power to substitute any member to perform the duties of the Chair. If absent, the Speaker shall designate a member to perform the duties of the Chair unless otherwise ordered by the House.

### DECORUM AND DEBATE

9. Members to be seated and activate voting stations. When the House is called to order, members shall take their seats and shall activate their voting stations immediately. When they leave their seats for any reason they shall deactivate their stations.

10. Mason's Manual of Legislative Procedure as parliamentary guide. In all cases not provided for by the Constitution, House Special Session Rules or Joint Special Session Rules, *Mason's Manual of Legislative Procedure*, 2010 Edition, shall be the parliamentary guide. Rules may be amended by majority vote, prior to adoption by the House.

11. Members: shall rise to address Speaker. When any member is about to speak in debate, make a motion, or deliver any matter to the House, the member shall rise from his or her seat and respectfully address the Speaker, declaring the purpose for which the member rises to speak.

12. Members: first rising shall speak first. In all cases the member rising first shall speak first. When two or more members rise at the same time, the Speaker shall name the person to speak. When many members choose to speak, they may file their names with the clerk, who shall supply the list to the Speaker. The Speaker shall name the order in which the members shall speak.

13. Members: speaking more than twice. No member shall speak more than twice on the same question without permission from the House. No member shall speak more than once until every member choosing to speak has spoken.

14. Members: walking in front of podium prohibited. While the Speaker is putting a question or addressing the House, no one shall walk out of or across the House. While a member is speaking, no one shall pass between that member and the other members of the House, nor shall anyone engage in private conversation.

15. Members: questions of order. If any member transgresses the rules of the House, the Speaker shall, or any member may, call the member to order. The member called to order shall immediately sit down and the question of order shall be distinctly stated by the Speaker.

16. Ethics Guidelines. In all instances, every member shall act in conformance with the duly adopted New Hampshire General Court Ethics Guidelines and opinions of the Legislative Ethics Committee

17. Persons permitted on floor/in anteroom during session.

(a) The following persons shall be admitted within the door of the Representatives' chamber or anteroom while the House is in session: House members and officers, the Governor, Council members, the Secretary of State, the Treasurer, the President of the Senate and the Senate clerks.

(b) No other person shall be admitted within the door of the Representatives' chamber or anteroom while the House is in session, except with the permission of the Speaker.

18. Motions: in possession of the House. After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before an amendment.

19. Motions: order of precedence; to Indefinitely Postpone; amendment as substitute motion.

(a) When any question is under debate, precedence of motions shall be as follows:

- (1) to adjourn;
- (2) to lay on the table;
- (3) for the previous question;
- (4) to postpone to a certain day;
- (5) to commit;
- (6) to amend;
- (7) to postpone indefinitely.

Motions to adjourn, to lay on the table, for the previous question, and to take from the table shall be decided without debate. A motion to postpone to a certain day shall be debatable both as to time and subject matter.

(b) When a question is postponed indefinitely, that question shall not be acted on during the same session, unless two-thirds of those members present and voting vote in favor thereof.

(c) No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

#### 20. Previous question.

(a) The Speaker shall put the previous question in the following form: "Shall debate now be limited?" and all debate on the main question shall be suspended until the previous question has been decided. After the adoption of the previous question, the sense of the House shall forthwith be taken on pending amendments, in their regular order, and then on the main question.

(b) All incidental questions of order arising after a motion of the previous question and related to the subjects affected by the order of the previous question shall be decided without debate.

(c) If the previous question is decided in the negative, it shall not again be in order for the particular question under consideration until after adjournment, but the main question shall be left before the House and disposed of as though the previous question had not been put.

21. Voting: by voice, division and roll call; must be present when question put; seconding roll call request; voting stations; members required to vote. There shall be three forms of deciding the question: voice vote, division vote, roll call vote. No member shall vote in any case if the member is not present when the question is put.

(a) The question put by voice vote shall be: "All those in favor of the question say 'aye,'" and after the affirmative vote is expressed, "Those of a contrary opinion say 'no.'"

(b) A division vote shall be taken if the Speaker doubts the voice vote or if a member calls for a division vote initially or before the Speaker announces the result of the vote. When a division of the House is taken, the Speaker may appoint a teller for each seating division of the House, who shall report to the Chair the state of the vote.

(c) A roll call shall be taken when a member moves for a roll call vote and that motion is seconded by 10 other members. The member requesting the roll call vote and the 10 members who second the motion shall notify the clerk in writing or shall rise from their seats or otherwise be recognized by the Speaker. Whenever a roll call vote is requested and properly seconded, members shall enter the chamber to take their seats and the question shall then be put to the House.

(d) When a division or a roll call is taken, the Speaker shall put the question and open the voting stations for not more than 30 seconds. Each member present at his or her voting station shall press either the YES (Green) or NO (Red) button unless excused by the House for a special reason. After closing the vote, the Speaker shall rise and state the decision of the House.

22. Tie vote, question lost. In case of a tie vote, the question shall be lost.

23. Leaving seats prohibited during voting. No member shall leave his or her seat while the voting machine is in use and until the Speaker announces the result of the vote.

24. Reconsideration. No vote shall be reconsidered unless the motion for reconsideration is made prior to third reading by a member who voted with the prevailing side. A motion for reconsideration is debatable only to the extent that it does not open the underlying question to debate.

25. Objection to reading paper/document. When the reading of a paper or a document is objected to by a member, the question shall be determined by a vote of the House without debate.

26. Absences. All members shall attend to their duties in the House or committee, and no one shall be absent from the service of the House or committee unless the member has leave, or is sick and unable to attend.



## COMMITTEES AND THEIR DUTIES

27. There shall be a Committee on Enrolled Bills to carefully examine each bill, enroll it, and report it on behalf of the Committee to the House. If the examination of a bill shall disclose any clerical error or imperfection, it shall be reported back to the House with such amendments as are required to correct the same; and any measures so reported shall be subject to amendment in those particulars and in no other respect.

28. There shall be a Committee on Rules to consider all matters pertaining to House procedural rules and deadlines, to recommend rules of proper debate and to approve introduction of bills.

## BILLS

29. Bills and resolutions may be drafted and introduced only on approval by a majority vote of the Rules Committee.

Enactment of laws, as provided in the Call for the Special Session, shall be by bill. No bill shall be introduced into the House the subject matter of which is not included in the Call.

### 30. Drafting by Office of Legislative Services

(a) All memorials and other papers addressed to the House and all bills and resolutions to be introduced in the House, except those house resolutions not taking a policy position that are prepared by the clerk of the House, shall be delivered or caused to be delivered to the Office of Legislative Services by the member presenting them. The Office of Legislative Services shall prepare those bills, resolutions, memorials and other papers in proper form and shall present them to the member(s) for signature. Legislative Services shall give precedence in drafting legislation to any measure that carries a fiscal note and all such legislation shall be prepared for signature by the sponsor.

(b) All bills, resolutions, memorials and other papers addressed to the House, shall be endorsed with the name and the district of the legislator presenting them. All legislation shall be numbered serially according to type of legislation introduced. Each bill shall be marked on the first page "Special Session House Bill"; and each house resolution shall be marked "Special Session House Resolution."

(c) No LSR number shall be assigned and no House bill shall be drafted unless the LSR or bill has a House sponsor. No more than ten House members shall be allowed to sponsor any bill or floor amendment. No more than 5 Senate members shall be allowed to co-sponsor legislation originating in the House.

(d) If a drafting request for a bill or resolution, filed with the Office of Legislative Services, requires a fiscal note as provided in RSA 14:44-47, the substance or a draft of the proposal may be provided to the Legislative Budget Assistant for preparation of the required fiscal note without the specific consent of the sponsor of the proposal.

31. Joint resolutions. All joint resolutions shall be treated in the same manner as bills.

32. Three readings. Every bill or resolution shall have three separate readings in the House prior to its passage. The first and second readings and referral to committee shall be by title only which may be accomplished by a single motion. No bill or resolution after it has been read a second time shall have a third reading until after adjournment from the early session. The time assigned for the third reading of bills, resolutions, and joint resolutions shall be in the late session unless otherwise ordered by the House. The orders of the day for the reading of bills shall hold for every succeeding day until disposed.

33. Clerk to provide Chairman's copies, bill copies for distribution. After each bill has been numbered, the clerk shall procure a sufficient number of copies for distribution.

34. Hearings and notices. A public hearing shall be held on each bill referred to a committee.

(a) Public hearings shall be advertised in the House Calendar no less than 4 days prior to a hearing.

(b) Executive sessions shall be advertised in the House Calendar no less than 2 days prior to committee action or announced on the floor of the House by the Chairman of the appropriate committee.

(c) The Speaker may authorize and direct the appropriate House committee to sit with the appropriate Senate committee at a public hearing of any Senate Special Session bill, and no further public hearing on such bill shall be required.

### 35. Amending bills.

(a) No amendment shall be made until the second reading of a bill. All amendments to bills shall be prepared by the Office of Legislative Services, with the name of the member and the district represented by the member or the name of the policy committee proposing the amendment.

(b) No amendment shall be added to any bill which is not germane to the subject matter of the legislative document as referred to the Committee.

36. Committee of conference reports.

(a) Whenever there is any disagreement between the House and the Senate on the content of any bill or resolution, and whenever both bodies, voting separately, have agreed to establish a committee of conference, the Speaker shall appoint four members to the House conference committee. The number of members of the committee of conference on any bill may increase or decrease if the presiding officers of both the House and the Senate agree.

(b) The first-named person from the body where the bill or resolution in disagreement originated shall have the authority to call the time and place for the first meeting of the committee of conference on said bill.

(c) The first-named House member on a committee of conference shall be the chairman of the House conferees. The chairman of the committee of conference of the body where the bill or resolution in disagreement originated shall chair the joint meeting(s) of the committee of conference.

(d) A committee of conference report analysis for all bills and resolutions in conference shall be prepared by the first-named House member on each conference.

(e) No action shall be taken on any committee of conference report until such report has been made available to the members of the House.

(f) A committee of conference may neither change the title of any bill submitted to it nor add amendments that are not germane to the subject matter of the bill as originally submitted to it. For the purpose of this rule, a non-germane amendment is any subject matter not contained in either the House or Senate version of the bill.

37. House rules suspension. No standing Special Session rule of the House shall be suspended unless two-thirds of the members present vote in favor thereof. A motion to suspend the rules is debatable.

## ORDER OF BUSINESS

38. Early/late sessions; leaves of absence.

(a) The order of business in the early session shall be as follows:

1. Prayer by the Chaplain or a substitute designated by the Speaker, pledge of allegiance and leaves of absence if received before the start of the legislative day;

2. Introduction of guests;

3. Introduction, first and second reading and referral of bills;

4. Messages from the Senate, the Governor and the Secretary of State;

5. Reports from committees;

6. Resolutions, motions and notices;

7. Adjournment from the early session.

(b) The order of business in the late session shall be as follows:

1. Third reading of bills and resolutions.

2. Resolutions and motions;

3. Personal privilege in accordance with *Mason's Manual of Legislative Procedure*, Sec. 220-226, 2010 edition.

4. Unanimous consent in accordance with *Mason's Manual of Legislative Procedure*, Sec. 537, 2010 edition.

5. Adjournment to a date certain.

(c) The order of business listed in this rule shall be adhered to unless otherwise ordered by a majority of those members of the House present and voting.

(d) Leaves of absence may be granted by the House at any time.

## OFFICERS AND PERSONNEL

39. Speaker shall define duties of officers and personnel. The elected and appointed non-member officers and personnel of the House shall be under the direction of the Speaker, who shall define their duties not fixed by statute or otherwise ordered by the House.

40. Expenditures approval. No officer or employee of the House during the session or any adjournment thereof shall purchase or contract to purchase, pay or promise to pay any sum of money on behalf of the House or issue any requisition or manifest without securing the approval in writing of the Speaker of the House or designee.

41. Security officer. The Speaker may appoint an individual trained and experienced in security matters or law enforcement work, who, under the supervision and direction of the Speaker, shall prevent the deliberations of the House from being disrupted or interfered with by any person or persons not members thereof.

42. Influencing legislation, prohibition of. No employee or attaché of the House Sergeant-at-Arms shall, directly or indirectly, be personally involved with or attempt to influence the passage or consideration of any measure whatsoever. If any such employee or attaché becomes involved with any such measure, it shall be grounds for summary dismissal.

### MISCELLANEOUS

43. Deadly weapons; electronic devices; cameras. No person, including members of the House, except law enforcement officers while actively engaged in carrying out their duties as such, shall carry or have in possession any deadly weapon as defined in RSA 625:11, V while in the House Chamber, anterooms, cloakrooms, or House gallery. Any person in violation of this rule shall be subject to ejection from any such premises on the order of the Speaker and disciplinary action or arrest or both by action of the House. Nothing in this rule shall indicate that the security officer appointed by the House under Rule 41 has the right to stop and search a member of the House on the premises of the House or that any person is precluded a legally permitted exercise of self-defense or defense of others. With the exception of devices for the hearing impaired, no member shall operate audible electronic transmitting and/or receiving devices nor shall any member operate a video camera or a camera utilizing flash bulbs on the floor of the House, while the House is in session.

44. Sources of Authority. The procedures of the New Hampshire House shall be derived from the following sources in the order of precedence listed:

- (a) Constitutional provisions.
- (b) Rules of the New Hampshire House.
- (c) Custom, usage and precedent.
- (d) Adopted parliamentary manual (*Mason's Manual of Legislative Procedure*, 2010 edition).
- (e) Statutory provisions.

The question being adoption of the 2013 Special Session House Rules.

Reps. Weber and Jasper spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

### YEAS 280 NAYS 41

#### YEAS 280 BELKNAP

Arsenault, Beth	Burchell, Richard	DiMartino, Lisa	Fields, Dennis
Flanders, Donald	Gulick, Ruth	Holmes, Stephen	Huot, David
Luther, Robert	Raymond, Ian	Tilton, Franklin	Vadney, Herbert
Worsman, Colette			

#### CARROLL

Buco, Thomas	Butler, Edward	Chandler, Gene	Cordelli, Glenn
Crawford, Karel	Lavender, Tom	McConkey, Mark	Morrow, Harry
Nelson, Bill	Ticehurst, Susan	Umberger, Karen	White, Syndi
Wright, Donald			

#### CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Hunt, John	Johnsen, Gladys	Johnson, Jane
Ley, Douglas	Mann, John	Parkhurst, Henry	Robertson, Timothy
Sad, Tara	Shepardson, Marjorie	Tatro, Bruce	Weber, Lucy
Weed, Charles	Young, Harry		

#### COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Richardson, Herbert	Rideout, Leon	Theberge, Robert
Thomas, Yvonne			

**GRAFTON**

Aguiar, James  
Cooney, Mary  
Gionet, Edmond  
Lovett, Sid  
Shackett, Jeffrey  
White, Andrew

Almy, Susan  
Doolan, Ralph Jr  
Harding, Laurie  
Massimilla, Linda  
Smith, Suzanne

Benn, Bernard  
Ford, Susan  
Ladd, Rick Jr  
Mulholland, Catherine  
Sykes, George

Brown, Rebecca  
Friedrich, Carol  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Booras, Efstathia  
Campbell, David  
Cote, David  
Flanagan, Jack  
Gidge, Kenneth  
Graham, John  
Hansberry, Daniel  
Heden, Ruth  
Jeady, Jean  
LeBrun, Donald  
MacKay, Mariellen  
McCarthy, Michael  
Murphy, Kelleigh  
Ober, Russell III  
Ramsey, Peter  
Rosenwald, Cindy  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne  
Winters, Joel

Barry, Richard  
Brown, Pamela  
Carroll, Douglas  
Culbert, Patrick  
Gage, Ruth  
Goley, Jeffrey  
Hackel, Paul  
Hansen, Peter  
Infantine, William  
Kelley, John  
LeVasseur, Richard  
Manley, Jonathan Sr  
McCloskey, David  
Nelson, Mary  
Parison, James  
Renzullo, Andrew  
Rowe, Robert  
Shaw, Barbara  
Stroud, Kathleen  
Walsh, Robert Jr  
Woodbury, David

Beaulieu, Jane  
Burt, John  
Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Gorman, Mary  
Haefner, Robert  
Harriott-Gathright, Linda  
Jack, Martin  
Kopka, Angeline  
Levesque, Melanie  
Marston, Dick  
McNamara, Richard  
O'Brien, Michael Sr  
Pellegrino, Tony  
Rhodes, Brian  
Sanborn, Laurie  
Soucy, Timothy  
Sullivan, Peter  
Willette, Robert

Boisvert, Ronald  
Byron, Frank  
Connor, Evelyn  
Eaton, Richard  
Gargas, Carolyn  
Grady, Brenda  
Hammond, Jill  
Heath, Mary  
Jasper, Shawn  
Kirk, Neal  
Long, Patrick  
Martel, Andre  
Murotake, David  
O'Neil, William  
Porter, Marjorie  
Rokas, Ted  
Schmidt, Janice  
Souza, Kathleen  
Takesian, Charlene  
Williams, Kermit

**MERRIMACK**

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hess, David  
Kidder, David  
Moffett, Howard  
Schamberg, Thomas  
Turcotte, Alan

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hirsch, Geoffrey  
Kotowski, Frank  
Patten, Dick  
Shurtleff, Stephen  
Walz, Mary Beth

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Hunt, Jane  
Lockwood, Priscilla  
Ratzki, Mario  
Smith, Todd  
Webb, Leigh

Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Rogers, Katherine  
Tilton, Joy

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Cali-Pitts, Jacqueline  
Cushing, Robert Jr  
Duarte, Joe  
Flockhart, Eileen  
Hoelzel, Kathleen  
Lundgren, David  
McMahon, Charles  
Packard, Sherman  
Schlachman, Donna  
Sweeney, Joe  
Waterhouse, Kevin  
Whittemore, Lisa

Allen, Mary  
Borden, David  
Charron, Gene  
Danais, Romeo  
Emerick, J. Tracy  
Griffin, Mary  
Khan, Aboul  
Major, Norman  
Moody, Marcia  
Pantelakos, Laura  
Sedensky, John  
Sytek, John  
Wazlaw, Brian

Andrews-Ahearn, E. Elaine  
Briden, Steven  
Chirichiello, Brian  
DeSimone, Debra  
Ferrante, Beverly  
Harris, Jeffrey  
Kolodziej, Walter  
Mann, Maureen  
Muns, Chris  
Peckham, Michele  
Sherman, Thomas  
Till, Mary  
Webb, James Sr

Belanger, Ronald  
Cahill, Michael  
Copeland, Timothy  
Devine, James  
Fesh, Robert  
Heffron, Frank  
Lovejoy, Patricia  
McKinney, Betsy  
O'Connor, John  
Priestley, Anne  
St.James, Kevin  
Ward, Gerald  
Weyler, Kenneth

**STRAFFORD**

Baber, William  
Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Malloy, Dennis  
Rogers, Rose Marie  
Stevens, Audrey

Berube, Roger  
Burke, Rachel  
Grossman, Kenneth  
Jones, Laura  
Miller, David  
Rollo, Deanna  
Verschueren, James

Bickford, David  
Gardner, Janice  
Hooper, Dorothea  
Kaen, Naida  
Mullen, John Jr  
Schmidt, Peter  
Wall, Janet

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Ketel, Stephen  
Perry, Robert  
Spainhower, Dale  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Irwin, Virginia  
Schmidt, Andrew

Gagnon, Raymond  
Lefebvre, Benjamin  
Smith, Steven

Gottling, Suzanne  
O'Hearne, Andrew  
Sweeney, Cynthia

Grenier, James  
Osgood, Joe  
Tanner, Linda

**NAYS 41****BELKNAP**

Comtois, Guy  
Sylvia, Michael

Cormier, Jane

Fink, Charles

Greemore, Robert Jr

**CARROLL**

None

**CHESHIRE**

None

**COOS**

Rappaport, Laurence

**GRAFTON**

None

**HILLSBOROUGH**

Boehm, Ralph  
Daniels, Gary  
Notter, Jeanine  
Peterson, Lenette  
Vaillancourt, Steve

Cebrowski, John  
Hopper, Gary  
O'Brien, William  
Sandblade, Emily  
Villeneuve, Moe

Christiansen, Lars  
Lambert, George  
Ober, Lynne  
Straight, Philip  
Warden, Mark

Coffey, James  
Murphy, Keith  
Palmer, Stephen  
Ulery, Jordan

**MERRIMACK**

Hoell, J.R.

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Baldasaro, Alfred  
Gordon, Richard  
Sapareto, Frank

Comerford, Timothy  
Itse, Daniel  
Tucker, Pamela

Dumaine, Dudley  
Kappler, Lawrence

Elliott, Robert  
Rice, Frederick

**STRAFFORD**

Beaudoin, Steven

Groen, Warren

Parsons, Robbie

**SULLIVAN**

None

and the 2013 Special Session House Rules were adopted.

**RESOLUTION****INTRODUCTION OF SPECIAL SESSION BILL**

Drafting and introduction having been approved by the Rules Committee, Rep. Shurtleff offered the following: RESOLVED, that in accordance with the list in the possession of the clerk, Special

Session House Bill numbered 1 shall be by this resolution read a first and second time by the therein listed title, sent for printing and referred to the therein designated committee.

Rep. Hunt spoke against and yielded to questions.

Rep. Vaillancourt spoke against.

### MOTION TO RECESS

Rep. William O'Brien moved that the House stand in recess to allow a copy of *SS HB 1-FN-A*, relative to access to health insurance coverage, to be distributed to the members.

Rep. Pantelakos requested a roll call; sufficiently seconded.

### YEAS 136 NAYS 187

#### YEAS 136

##### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

##### CARROLL

Chandler, Gene  
Morrow, Harry

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Umberger, Karen

McConkey, Mark  
Wright, Donald

##### CHESHIRE

Hunt, John

Johnson, Jane

##### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

##### GRAFTON

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

Shackett, Jeffrey

##### HILLSBOROUGH

Barry, Richard  
Cebrowski, John  
Flanagan, Jack  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Ober, Russell III  
Peterson, Lenette  
Sandblade, Emily  
Ulery, Jordan  
Willette, Robert

Boehm, Ralph  
Christiansen, Lars  
Graham, John  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Palmer, Stephen  
Renzullo, Andrew  
Souza, Kathleen  
Vaillancourt, Steve

Burt, John  
Coffey, James  
Haefner, Robert  
Jasper, Shawn  
LeVasseur, Richard  
Murotake, David  
O'Brien, William  
Parison, James  
Rowe, Robert  
Straight, Philip  
Villeneuve, Moe

Byron, Frank  
Daniels, Gary  
Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Lynne  
Pellegrino, Tony  
Sanborn, Laurie  
Stroud, Kathleen  
Warden, Mark

##### MERRIMACK

Hess, David  
McGuire, Carol

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank  
Smith, Todd

Lockwood, Priscilla

##### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Copeland, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Harris, Jeffrey

Allen, Mary  
Charron, Gene  
Danais, Romeo  
Dumaine, Dudley  
Fesh, Robert  
Hoelzel, Kathleen

Baldasaro, Alfred  
Chirichiello, Brian  
DeSimone, Debra  
Elliott, Robert  
Gordon, Richard  
Itse, Daniel

Belanger, Ronald  
Comerford, Timothy  
Devine, James  
Emerick, J. Tracy  
Griffin, Mary  
Kappler, Lawrence

Khan, Aboul  
McKinney, Betsy  
Peckham, Michele  
Sapareto, Frank  
Sytek, John

Kolodziej, Walter  
McMahon, Charles  
Priestley, Anne  
Sedensky, John  
Tucker, Pamela

Lundgren, David  
O'Connor, John  
Rice, Frederick  
St.James, Kevin  
Webb, James Sr

Major, Norman  
Packard, Sherman  
Sanders, Elisabeth  
Sweeney, Joe  
Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Groen, Warren  
Parsons, Robbie

Horrigan, Timothy

### SULLIVAN

Grenier, James

Osgood, Joe

Smith, Steven

### NAYS 187

### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Mann, John  
Shepardson, Marjorie  
Young, Harry

### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

### GRAFTON

Aguiar, James  
Cooney, Mary  
Lauer, Linda  
Pastor, Beatriz  
White, Andrew

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Massimilla, Linda  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Townsend, Charles

### HILLSBOROUGH

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Gidge, Kenneth  
Hackel, Paul  
Heath, Mary  
Kelley, John  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Shattuck, Gilman  
Sullivan, Peter  
Williams, Kermit

Beaulieu, Jane  
Campbell, David  
Cote, David  
Gage, Ruth  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Kopka, Angeline  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rokas, Ted  
Shaw, Barbara  
Takesian, Charlene  
Winters, Joel

Boisvert, Ronald  
Carroll, Douglas  
Culbert, Patrick  
Gale, Sylvia  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Rosenwald, Cindy  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Booras, Efstathia  
Chandley, Shannon  
DiSilvestro, Linda  
Gargas, Carolyn  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeudy, Jean  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Schmidt, Janice  
Spratt, Stephen  
Walsh, Robert Jr

### MERRIMACK

Bartlett, Christy  
Carson, Clyde

Bouchard, Candace  
Davis, Frank

Burns, Scott  
Ebel, Karen

Carey, Lorrie  
Frambach, Mary

Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Rogers, Katherine  
Turcotte, Alan

French, Barbara  
Hunt, Jane  
Moffett, Howard  
Schamberg, Thomas  
Walz, Mary Beth

Gile, Mary  
Karrick, David Jr  
Patten, Dick  
Shurtleff, Stephen  
Watrous, Rick

Henle, Paul  
Kidder, David  
Ratzki, Mario  
Tilton, Joy  
Webb, Leigh

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Heffron, Frank  
Muns, Chris  
Till, Mary  
Whittemore, Lisa

Borden, David  
Cali-Pitts, Jacqueline  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Briden, Steven  
Cushing, Robert Jr  
Mann, Maureen  
Schlachman, Donna  
Waterhouse, Kevin

Burtis, Elizabeth  
Flockhart, Eileen  
Moody, Marcia  
Sherman, Thomas  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Ketel, Stephen  
Rogers, Rose Marie  
Stevens, Audrey

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Malloy, Dennis  
Rollo, Deanna  
Verschueren, James

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Wall, Janet

Burdwood, Greg  
Gray, James  
Kaen, Naida  
Perry, Robert  
Spainhower, Dale  
Ward, Kenneth

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda  
and the motion failed.

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

The question now being introduction of *SS HB 1-FN-A*, relative to access to health insurance coverage.

Rep. Rosenwald spoke in favor.

Rep. Itse requested a roll call; sufficiently seconded.

### YEAS 183 NAYS 141

#### YEAS 183

#### BELKNAP

Arsenault, Beth  
Raymond, Ian

DiMartino, Lisa

Gulick, Ruth

Huot, David

#### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

#### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Parkhurst, Henry  
Tatro, Bruce

Berch, Paul  
Johnsen, Gladys  
Robertson, Timothy  
Weber, Lucy

Butynski, William  
Ley, Douglas  
Sad, Tara  
Weed, Charles

Chase, Cynthia  
Mann, John  
Shepardson, Marjorie  
Young, Harry

#### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Theberge, Robert

Hammon, Marcia  
Thomas, Yvonne

Hatch, William

#### GRAFTON

Aguiar, James  
Cooney, Mary  
Lauer, Linda  
Pastor, Beatriz  
White, Andrew

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Massimilla, Linda  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Townsend, Charles



**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Levesque, Melanie  
McCloskey, David  
O'Neil, William  
Rokas, Ted  
Shaw, Barbara  
Vail, Suzanne  
Woodbury, David

Beaulieu, Jane  
Campbell, David  
Cote, David  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeuzy, Jean  
Long, Patrick  
McNamara, Richard  
Porter, Marjorie  
Rosenwald, Cindy  
Soucy, Timothy  
Walsh, Robert Jr

Boisvert, Ronald  
Carroll, Douglas  
DiSilvestro, Linda  
Gidge, Kenneth  
Hackel, Paul  
Heath, Mary  
Kelley, John  
MacKay, Mariellen  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Spratt, Stephen  
Williams, Kermit

Booras, Efstathia  
Chandley, Shannon  
Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Kopka, Angeline  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Sullivan, Peter  
Winters, Joel

**MERRIMACK**

Bartlett, Christy  
Carson, Clyde  
Frazer, June  
Hirsch, Geoffrey  
Moffett, Howard  
Schamberg, Thomas  
Walz, Mary Beth

Bouchard, Candace  
Davis, Frank  
French, Barbara  
Hunt, Jane  
Patten, Dick  
Shurtleff, Stephen  
Watrous, Rick

Burns, Scott  
Ebel, Karen  
Gile, Mary  
Karrick, David Jr  
Ratzki, Mario  
Tilton, Joy  
Webb, Leigh

Carey, Lorrie  
Frambach, Mary  
Henle, Paul  
MacKay, James  
Rogers, Katherine  
Turcotte, Alan

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Heffron, Frank  
Muns, Chris  
Till, Mary

Borden, David  
Cali-Pitts, Jacqueline  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Briden, Steven  
Cushing, Robert Jr  
Mann, Maureen  
Schlachman, Donna  
Wazlaw, Brian

Burtis, Elizabeth  
Flockhart, Eileen  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

**STRAFFORD**

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Rogers, Rose Marie  
Stevens, Audrey

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Rollo, Deanna  
Verschueren, James

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Miller, David  
Schmidt, Peter  
Wall, Janet

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Perry, Robert  
Spainhower, Dale  
Ward, Kenneth

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

**NAYS 141****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Chandler, Gene  
Merrow, Harry

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Umberger, Karen

McConkey, Mark  
Wright, Donald

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence	Richardson, Herbert	Rideout, Leon
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**GRAFTON**

Doolan, Ralph Jr	Gionet, Edmond	Ladd, Rick Jr	Shackett, Jeffrey
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**HILLSBOROUGH**

Barry, Richard	Boehm, Ralph	Burt, John	Byron, Frank
Cebrowski, John	Christiansen, Lars	Coffey, James	Culbert, Patrick
Daniels, Gary	Flanagan, Jack	Gargas, Carolyn	Graham, John
Haefner, Robert	Hansen, Peter	Hopper, Gary	Infantine, William
Jasper, Shawn	Kurk, Neal	Lambert, George	LeBrun, Donald
LeVasseur, Richard	Marston, Dick	Martel, Andre	McCarthy, Michael
Murotake, David	Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine
O'Brien, William	Ober, Lynne	Ober, Russell III	Palmer, Stephen
Parison, James	Pellegrino, Tony	Peterson, Lenette	Renzullo, Andrew
Rowe, Robert	Sanborn, Laurie	Sandblade, Emily	Souza, Kathleen
Straight, Philip	Stroud, Kathleen	Takesian, Charlene	Ulery, Jordan
Vaillancourt, Steve	Villeneuve, Moe	Warden, Mark	Willette, Robert

**MERRIMACK**

Hess, David	Hoell, J.R.	Kidder, David	Kotowski, Frank
Lockwood, Priscilla	McGuire, Carol	McGuire, Dan	Smith, Todd

**ROCKINGHAM**

Abami, Patrick	Allen, Mary	Baldasaro, Alfred	Belanger, Ronald
Bick, Patrick	Charron, Gene	Chirichiello, Brian	Comerford, Timothy
Copeland, Timothy	Danais, Romeo	DeSimone, Debra	Devine, James
Duarte, Joe	Dumaine, Dudley	Elliott, Robert	Emerick, J. Tracy
Ferrante, Beverly	Fesh, Robert	Gordon, Richard	Griffin, Mary
Harris, Jeffrey	Hoelzel, Kathleen	Itse, Daniel	Kappler, Lawrence
Khan, Aboul	Kolodziej, Walter	Lundgren, David	Major, Norman
McKinney, Betsy	McMahon, Charles	O'Connor, John	Packard, Sherman
Peckham, Michele	Priestley, Anne	Rice, Frederick	Sanders, Elisabeth
Sapareto, Frank	Sedensky, John	St.James, Kevin	Sweeney, Joe
Sytek, John	Tucker, Pamela	Waterhouse, Kevin	Webb, James Sr
Weyler, Kenneth			

**STRAFFORD**

Beaudoin, Steven	Bickford, David	Gray, James	Groen, Warren
Jones, Laura	Mullen, John Jr	Parsons, Robbie	

**SULLIVAN**

Grenier, James	Osgood, Joe	Smith, Steven
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and the motion was adopted.

**INTRODUCTION OF SPECIAL SESSION HOUSE BILL****First, second reading and referral**

**SS HB 1-FN-A**, relative to access to health insurance coverage. (Sherman, Rock 24; Rosenwald, Hills 30; Gilmour, Dist 12: Finance)

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time.

Adopted.

**UNANIMOUS CONSENT**

Reps. Infantine, Notter, Baldasaro and Vaillancourt addressed the House.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Infantine be printed in the Permanent Journal. Adopted.

**REMARKS**

**Rep. Infantine:** Thank you, Madam Speaker. Fellow Representatives, I rise today in memory of one of our colleagues, Sahir Tahir or as many of you knew him as, "Saggy." Unfortunately, Saggy passed away on October 16<sup>th</sup>. When I first ran for this House, I heard about this person that I should meet in Manchester by the name of Saggy and I wondered who is Saggy and what is a Saggy, being a different and bizarre name. I came to know, like and very much respect Saggy. Saggy came to this country from Pakistan in 1972. He became an American citizen in 1978 and became the first Muslim to be elected to the legislature in this country. Saggy was elected for five different terms. He served from 2000 to 2010. By trade he was an engineer. I asked him, what does that entail? What do you do all the time? If there was ever a fire or a tornado in a large building somewhere, he would go out and inspect it to make sure it was structurally sound. So he got to go all over this country and see a lot of great things and I believe that helped him here as a legislator. There was a very poignant moment for Saggy right here at this podium, Madam Speaker. It was your first term as Speaker. Another one of our colleagues, Mike Whalley, had passed away and Saggy came to this podium here and talked about how Mike came up to him one day and asked him, "What does Saggy mean?" I don't know if this is true or not, but Saggy said it meant "little man." Now, Saggy may have been small in stature but he was a giant when it came to his love for New Hampshire, this country and this legislature. I learned of Saggy's death from Mark Hayward. He is a reporter for the Union Leader and he had written on a Facebook page that, "Saggy loved this country more than many people who were born here" and he truly did. I know that came across here as a legislator. Not only did Saggy support the legislature here; he was very generous. He did well for himself as an individual and he gave back to the community as well. So, it is with sadness that I have to stand here and talk about Saggy. I don't think anyone here ever saw him crass or angry. He was always willing to compromise. He was always willing to get something done. He embodied what is so special and unique about the New Hampshire legislature. Saggy has a wonderful wife and three great children. May he rest in peace. Thank you very much, Madam Speaker.

**MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the former Representative from Manchester, the Honorable Saghir Tahir.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Notter be printed in the Permanent Journal. Adopted.

**REMARKS**

**Rep. Notter:** Thank you, Madam Speaker. Retired Lt. Colonel Robert P. Kingsbury, of Laconia, was laid to rest with military honors in the New Hampshire Veteran's Cemetery, in Boscawen, on Sept. 10. He passed away Sept. 7, at the age of 87. He served in the 162nd NH State Legislature from 2010-12. I would like to tell you a little about the distinguished veteran that I knew. It must have been late August 2006 when I got an invitation in the mail to an event celebrating Constitution Day. "Constitution Day celebration!" I exclaimed to myself. "Awesome! I love New Hampshire!" I didn't know a single soul at the start of that event, but I made new friends that day, including the representative from Fremont, Dan Itse, a now former representative from Merrimack, Peyton Hinkle, and a gentleman with a quilt on his Army uniform. Another friend I made that day was a cable talk show host from Windham, Bill McNally. From Mr. McNally, I learned that the Army veteran was Lt. Col. Bob Kingsbury, who was in Patton's Third Army in World War II. It was an honor for me to meet him. My father was in Patton's Third Army, too. One month later, I was hosting my own cable talk show. One of my first guests was the sergeant who blew the wall on the beach at Normandy, the late Noel Dube, of Pepperell, Mass. God rest his soul. Meanwhile, Colonel Kingsbury sent me a two-disc documentary titled "Patton's Ghost Corps." He is featured several times on Disc 2. When I had the colonel on my show, he called me, "Miss Jeanine." His war stories were prudent for family viewing, but after the taping he gave me more details about the

terrible things he saw in WWII. Colonel Kingsbury was a Libertarian who ran many times for state representative. Once he joined the Republican party, he won the election. He sat in front of me, in the second row of Section 3. He was hard-of-hearing, and often passed hand-written notes to those around him ... along with his pen ... so we could write back. He served with me on the committee of State and Federal Relations and Veterans Affairs. The representative from Londonderry, Al Baldasaro, was our chairman. Sometimes it appeared that Rep. Kingsbury was napping during committee. There was never any snoring, but his eyes were closed and his face looked relaxed. But then he would shoot his hand up to ask a question. So, he wasn't sleeping. He was concentrating. My favorite memory was the time he addressed someone who was testifying, with "Thank you, Mr. Witness." My friend, Bob, was known to me as Colonel, Representative and then as the Honorable Kingsbury. At his memorial, I learned that at his church he was known as "Brother Kingsbury." He was a respected and cherished member of his church and to other groups as well. Camp Constitution Press published, "First Scout for General Patton," the WWII memoirs of Pvt. Robert Kingsbury. A distant cousin of the current majority leader of the 163rd New Hampshire State Legislature gave me a copy. As lead rifleman, there were never Americans in front of Pvt. Kingsbury, only behind him. Among other things, he wrote about the bravest men he's ever met, the ones who didn't make it, and a scoundrel or two. The deprivation of our soldiers was something he could never forget. They were often ill-equipped, freezing and always very hungry. I liked the chapter describing the various rations. The better rations never seemed to make it to the front lines and the "C" rations were frozen solid during the winter. With no permission to light fires to defrost them, they were useless to our troops. As for the "D" rations, he pondered the existence of Hell. He surmised that if there is there is a Hell, then surely it must be a place where the diet is nothing but D bars for all eternity. He received a Purple Heart, a Combat Infantry Badge and a Bronze Star, but his main memory of combat was, "essentially, complete physical exhaustion." Staying active in the Army Reserves is how he got promoted to lieutenant colonel. He lived a full life and was a well-read man. Having donated his entire library to the John Birch Society, his collection of books filled a van. A mutual friend allowed me to look over a small portion of his books. I knew we shared a love of history, but I didn't know that he was also interested in deep-sea shipwreck discoveries, or that he, too, read the memoirs of Cardinal Minzenty, who was once a prisoner of the communists. I took both of those books home with me as well as "Patton's Third Army." After helping to liberate the concentration camps in Europe, my father was haunted by what he saw. He was never eager to share his experiences with us. I remember having a long conversation with Colonel Kingsbury about Patton's Third Army. He didn't know my dad, but I feel that, in a way, I could almost hear my own father talking to me through this fellow veteran of WWII. The Patton book is full of page markers. I'm wondering if the marked pages document events that my late friend personally experienced. I know that Bob Kingsbury is in a better place now, at peace, and not a single D ration in sight. He certainly must have heard the words, "Well done good and faithful servant." May his memory be eternal. Thank you.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the former Representative from Laconia, the Honorable Robert Kingsbury.

### MOTION TO PRINT REMARKS

Rep. Itse moved that the remarks quoted by Rep. Baldasaro be printed in the Permanent Journal. Adopted.

### REMARKS

**Rep. Baldasaro:** Thank you, Madam Speaker. Fellow Representatives, I was going to make this short and sweet by reading two proclamations this morning, but they weren't done. So, I adjusted at about 10:00 this morning and said, well, what is more deserving than speaking on the Commandant of the Marine Corps message. For many out here that are in the Concord area on Sunday morning at 07:45 in the morning in front of the State House, Marines from all over the state, Americans, no party affiliation, we come as Marines, will be out front of the State House where there is a Marine on top of the State House who will raise the Marine Corps flag. It will be flown for 24 hours on behalf of the United States Marine Corps birthday. The Marines were established November 10, 1775. I was fortunate, like many before me, that was here 22 years, 3 months and 18 days. Who's counting? What I decided to do was get the message from the Commandant of the Marine Corp, who puts out a message every year and it goes as follows:

For 238 years, the United State Marine Corps has proudly served our great Nation with unfailing valor – bolstered by the enduring fortitude of our fellow Marines, our families, and our friends. This is why each year on November 10<sup>th</sup>, Marines from all generations gather together, in groups large and small, to celebrate the birthday of our Corps and to reflect on the proud legacy and warrior ethos we share. This is what unites us as Marines. From our first battle at New Providence to today in Afghanistan, Marines have always shown that they were made of tougher stuff – that when the enemy's fire poured in from all angles, and the situation was grim, Marines unequivocally knew that their fellow Marines would stay behind their guns, fight courageously, and drive the enemy from the battlefield. We have always known hardship, fatigue, and pain...but we have never known what it is to lose a battle! Marines of generations past built our reputation as the most disciplined and honorable warriors to ever set foot on a battlefield, and we have triumphed in every battle because our Corps has always focused on *iron discipline* and *combat excellence*. This is who we are....this is what we do! It matters not whether you carried an M-1, an M-14, or M-16. It matters not whether you fought on a lonely island in the Pacific, assaulted a citadel in the jungle, or marched up to Baghdad. It matters not whether you are a grunt, a pilot or a loggie. What matters is that, when the chips were down and things got tough, your fellow Marines could count on you to stand and fight..... and fight you did! This year, we celebrate the anniversary of several epic battles in our celebrated history: the 70<sup>th</sup> anniversary of the 2<sup>nd</sup> Marine Division landing on Tarawa, the 45<sup>th</sup> anniversary of the Battle of Hue City, and the 10<sup>th</sup> anniversary of the “March Up” to Baghdad. Marines who fought in these legendary battles each made their mark upon the history of our Corps. They have passed a rich and illustrious legacy on to us – a much heralded reputation. It is ours to jealously guard, and it is up to us to make our own marks and thus proudly pass it on to the generations of Marines who will follow. Sergeant Major Michael Barrett joins me in congratulating each of you. Because of you, your selfless service, and your many sacrifices, our Corps remains strong and ready to respond to any crisis. Throughout history, Marines have faced tough times and there will be tough times ahead, but there is no challenge we cannot overcome if we remain honorable and always faithful to our Nation, our Constitution and each other. Happy Birthday, Marines!

Semper Fidelis,

James F. Amos, General, U.S. Marine Corps  
Commandant of the Marine Corps

I remember my younger days and Ronald Reagan being the President and there is one statement that I will always remember. He said, “Many people...” I think it was 1984. “Many people live a lifetime not knowing who they are. Marines don’t have that problem.” Now, Veterans Day, November 11<sup>th</sup>. Busy weekend for many of us veterans sitting in this room because we are at the cemetery Monday at 11:00 a.m. Some of us are at the State House Sunday. Many of us are at lunches and breakfasts and in the Marine Corps lunch that goes on every year, not publicized, but Marines show up from all over the state. I think its 200-250 Marines for a birthday lunch. But anyways, since I did not have a resolution to speak on, I pulled a speech by a young Marine Corps Corporal, Roy Elsner, Corporal, 5<sup>th</sup> Marine Division. He served from 1943 to 1946 and I found this very fitting to be spoken to the House to understand the respect that we have for those that served before me and I’m sure those that will serve after.

An Iwo Jima Memory  
By Roy A. Elsner, Corporal  
5<sup>th</sup> Marine Division 1943-1946

It was the 19<sup>th</sup> day of February  
And I watched the Marines parade,  
As they went proudly marching past  
I thought, “the memories never fade.”

I remembered that awful battle,  
My friends screaming loud,  
“Watch that bastard over there,”  
And now my head is bowed.

The 5<sup>th</sup>, the 4<sup>th</sup>, the 3<sup>rd</sup> Marines,  
Into hell they did charge.  
Into a bloody cacophony of scenes  
With Corps spirit looming large.

Iwo, Iwo Jima,  
We can tell you it was so,  
From Motoyama Airfield,  
The Marines blood did flow.

And up those ashen terraces  
To Suribachi we struggled on,  
Meeting the enemy face to face  
As he killed us one by one.

We landed in volcanic ash,  
Our boots made a sucking sound  
As we tried to make a dash  
And gain the higher ground.

Manila John showed us how  
To kill or be killed.  
But in just an hour or so,  
That mighty heart was stilled.

Basilone had led the way  
With machine gun spouting flame,  
A game he loved to play  
Living up to his famous name.

For 21 days I watched us die,  
My mind wanted to shout.  
It was vivid in that time of dread  
When a bomb burst knocked me out.

Everything went black,  
I struggled to get up,  
My left arm just went slack  
I howled like an injured pup.

Something warm was blinding me,  
I couldn't dope it out.  
Through a crimson haze I tried to see,  
I was hit, there was no doubt.

The head wound hurt, the arm was numb,  
My body I couldn't control.  
So up I jumped and ran like hell  
And began to feel so-o-o-o cold.

The doctor said, "You're lucky Mac,  
As he cleaned the arm wound with a cloth.  
"You lost the back of it,  
But I don't have to take it off."

The hospitals, the white starched sheets  
The surgery lights ablaze,  
Nurses in uniforms so neat,  
The next 5 months was all a haze.

So now as I reminisce  
And so many years have passed,  
I give thanks to Almighty God  
That I survived at last.

But how about the guys who didn't?  
Almost seven thousand of our Marines,  
Who on Iwo Jima gave their all,  
And now look on heaven's scenes.

Thank you, Madam Speaker.

**MOTION TO PRINT REMARKS**

Rep. Gladys Johnsen moved that the remarks made by Rep. Vaillancourt be printed in the Permanent Journal.

Adopted.

**REMARKS**

**Rep. Vaillancourt:** Thank you, Madam Speaker. I never thought I'd have to be here speaking in praise of cultural diversity because we have reached a point in our society where everybody seems to accept it. I remember when I was 4 or 5 years old growing up in a very small town in Vermont, lily-white Vermont, the first black face I ever saw was when some apple pickers from Jamaica who were there for the season came to shop at a grocery store across the street from where I lived. I would see these apple pickers every year. My brother and I went back to pick some apples in the same community of Shoreham, Vermont this year and sure enough we saw the same black faced apple pickers. We've come a long way in terms of cultural diversity from when I was 4 or 5 years old to the time now when we see all kinds of people in the New Hampshire House. My friend from Manchester spoke about Saggy Tahir earlier and how he was of Pakistani heritage. I've actually asked the House research to look up the speech that Saggy gave under unanimous consent at the time of troubles between the US and Pakistan several years ago. I'm not sure if it was ever entered into the Permanent Journal, but we are trying to find it and if it is I think those are words we can all read again today to talk about how we have come to accept people and should not denigrate anybody for their nationality or their heritage. When I was living in Berlin, Germany, a friend of mine met a Russian Air Force bomber and we were invited by this bomber to spend a weekend with this Russian pilot on the Air Force base Northeast of Berlin. His name was Valery, his wife was Olga and they had a little son named Dimitri. I've just been reading some Russian history lately so this comes back to mind. They were the most wonderful people in the world and from what I hear the Russian people have a sense of being that way. So when I hear denigration of any group of people, even people that we're supposedly not supposed to like, like the Russians, I am truly saddened. As I was standing at the polls at Ward 8 a couple of days ago – cold day, but a bright and warm day. Not that many people voted, but I saw three oriental people going to vote. I think they were Vietnamese, but who knows. That was the most pleasant experience I had all day of seeing those three people that had come to this country and made a life here and were taking time to go vote. In an age when we take cultural diversity for granted, I think we should be proud of it. As happy as I was to hear that story about Saggy Tahir that the other Manchester Representative and as proud as I was to know this person with such a kind and gentle soul, I was saddened this week when I heard somebody running for office talking about those of another nationality coming out of woodwork. That's the kind of comment we can live without. We need everybody coming, no matter what their nationality, to vote and I understand that in a couple of weeks we will have another member of this House with a nationality of Indian descent, I believe. We'll be stronger because of that. We've made so much progress since I was a young person. I think we need to continue to make that progress and never make comments against somebody because of their nationality or their diversity. Thank you.

**RECESS MOTION**

Rep. Shurtleff moved that the House stand in recess for the purposes of the introduction of bills, receiving Senate messages and messages from the Governor.

Adopted.

The House recessed at 11:35 a.m.

**RECESS**

## 2013 SPECIAL SESSION HOUSE JOURNAL NO. 2

Thursday, November 21, 2013

The House assembled at 10:00 a.m., the hour to which it stood adjourned, and was called to order by the Speaker.

Prayer was offered by House Chaplain, Reverend Jared Rardin, Pastor of the South Congregational Church in Concord.

Peace be with you. O God of all things possible, we gather today in a special session to consider a very important topic and that will affect thousands across our state. It is easy in times like this to build fortresses around ourselves. To presume dead ends. O God of endless newness and possibility, may Your Holy Spirit truly surprise us this day, with openness we had not expected. As we gather in this beautiful city we pronounce Concord, bless us with a spirit of the spirit of concord for which it is named. If our minds are clenched, loosen them. If our hearts are closed, open them. If we are experiencing distrust, stretch our hearts to welcome that of You that resides in each person. If we are reticent to speak our minds for fear we will be judged by one another, give us the courage to speak for all the people we represent. But most of all, O God, give us the courage to be generous, remembering the many thousands of lives that our decision today will affect. Most of all let Your voice speak in the midst of our debate. And in so doing, may we remember the call of so many of Your prophets over the years, Amos among them to, "Let justice roll down like waters, and righteousness like an ever flowing stream." Bless our Governor, the Speaker, and each member of this body. Be with those in our company here today who are grieving or ill. And be with our loved ones in places of hardship. In Your loving name we pray. Amen.

Her Excellency, Governor Margaret Wood Hassan, joined the Speaker on the rostrum for the day's opening ceremonies.

Representative Janet Wall, member from Madbury, led the Pledge of Allegiance.

The National Anthem was sung by Amanda McCarthy of Londonderry, a student from Southern New Hampshire University.

The member from Hooksett, Representative Hess and the member from Nashua, Representative Campbell recited the Gettysburg Address.

### LEAVES OF ABSENCE

Reps. Aguiar, Arsenault, Bishop, Bradley, Susan Emerson, Packard, Amy Perkins, Stevens and Turcotte, the day, illness.

Reps. Burrige, Chirichiello, Christiansen, Danais, Frambach, Gidge, Thomas Katsiantonis, Kidder, Murotake, Palmer, Ramsey, Reed and Walz, the day, important business.

Reps. Lawrence Perkins and Marjorie Smith, the day, illness in the family.

Rep. Boisvert, the day, death in the family.

### INTRODUCTION OF GUESTS

The Honorable Brandon Giuda, former member from Chichester, the Honorable Greg Hill, former member from Northfield, and the Honorable Kathy Lauer-Rago, former member from Franklin, guests of Reps. Dan and Carol McGuire. The Honorable Cliff Newton, former member from Rochester, Derek MacMillen Kittredge and Kathy Dunton, guests of Rep. Beaudoin. Sue Walford, guest of Rep. Gladys Johnsen. The Honorable Spec Bowers, former member from Sunapee, guest of Rep. Tucker. The Honorable Carol and Lou Vita, former members from Middleton, guests of Rep. Parsons. The Honorable Nancy Elliot and the Honorable Peyton Hinkle, former members from Merrimack, and Karen Testerman, guests of Rep. Peterson. The Honorable David Bates, former member from Windham, the Honorable Donald Gorman, former member from Deerfield, Catherine Cheney, Dave Ellis, Mona Perreault, and Doris Gould, guests of Rep. Jones. Thomas Ransom, guest of Rep. Miller. The Honorable Jennifer Daler, former member from Temple, guest of Rep. Cote.



## COMMUNICATION

November 13, 2013

Ms. Karen Wadsworth  
Clerk of the House of Representatives  
State House  
Concord, NH 03301

Dear Karen:

Please be advised that the following representative-elect was sworn into office by the Governor and Executive Council on this day:

Hillsborough District No. 35 (Nashua Ward-8)

Latha Mangipudi, d, Nashua (20 Salmon Brook Dr.) 03062

Sincerely,

William M. Gardner, Secretary of State

## REGULAR CALENDAR

***SS HB 1-FN-A***, relative to access to health insurance coverage. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Sharon Nordgren for the Majority of Finance. This legislation as amended reflects the bipartisan supported recommendations of the Commission to Study the Expansion of Medicaid Eligibility, further compromises, and technical corrections and improvements in a fully privatized system to expand healthcare access to approximately 58,000 low income New Hampshire working men, women and families. This compromise plan would provide expanded access to Medicaid services provided through our privatized Managed Care system initially with the goal of moving the entire newly eligible population to a competitive marketplace including at least one managed care option by 2017. This plan would enhance state control of our healthcare system and maximize federal dollars received while improving the health and security of our citizens and providing increased stability and predictability to our providers, private insurance carriers and the state. A key component of the significant savings achieved through this plan comes from expansion of the Health Insurance Premium Payment (HIPP) program, which allows low-income workers to utilize employer offered insurance coverage. Additional savings come from a significant reduction in uncompensated care, honoring existing Managed Care contracts, which include significant savings, and promoting increased competition in our state insurance market. Vote 15-10.

Rep. Neal M. Kurk for the Minority of Finance. The minority believes it important that low-income New Hampshire adults have health insurance but in a way that is affordable to New Hampshire taxpayers. The majority would provide this coverage by accepting expanded Medicaid under the Affordable Care Act (aka ObamaCare) but without thoughtful and reasonable financial safeguards. Its plan continues in effect regardless of whether the federal government grants the necessary waivers or not. Its plan continues in effect no matter how high its costs -- the lowest estimate is around \$40-45 million in general funds for the 2022/23 budget. The majority's plan only ends if the federal government reduces its promised cost share. In essence, the majority proposes to expand an out-of-control Medicaid entitlement program. This is not the New Hampshire way. The minority would have preferred a plan that is more in keeping with New Hampshire traditions. It would be a time-limited, three-year program fully paid for with federal funds disbursed through a separate health protection trust. If the program were effective and efficient in provide health care to low-income adults, and if its future costs were affordable, it could be continued or modified. If not, it would terminate. The minority would have required income-eligible adults with employer-sponsored insurance to keep those policies, where cost effective, and pay the premiums, co-pays, deductibles and other cost-sharing provisions with federal funds. This is the so-called HIPP program. For those who do not have employer-sponsored insurance, coverage could be provided through exchange-based, private qualified health plans only. The use of private insurance would result in higher health provider re-imbursement rates, reduce provider uncompensated care costs and improve our state's insurance markets and consumer choices. The minority would not have begun coverage until the necessary federal approvals (waivers) were received. The HIPP program waiver could be received in early January 2014. The private insurance waiver would take somewhat longer, likely in January 2015. These delays in the implementation would be necessary to maximize the state's leverage in

negotiations with federal authorities. The minority believes these delays would be a small price to pay for getting it right from the start. Finally, unlike the majority's proposal, the minority would have required an important personal responsibility measure: unemployed participants would be referred to the Department of Employment Security to receive help in finding work.

### **Majority Amendment (2418h)**

Amend subparagraph II (e) as inserted by section 1 of the bill by replacing it with the following:

(e) Competition and consumer choice by first increasing the number of insurance companies offering coverage on the New Hampshire health insurance marketplace then by implementing a premium assistance model that will enable newly eligible persons between 0 and 133 percent of the federal poverty level to obtain coverage through the marketplace.

Amend RSA 126-A:72, I as inserted by section 2 of the bill by replacing it with the following:

I. Subject to the provisions of paragraph IV, the department shall implement a premium assistance program with coverage beginning January 1, 2017 to require all newly eligible between 0 and 133 percent of the federal poverty level who do not have access to cost effective ESI, and who are not determined to be medically frail in accordance with 42 C.F.R. section 440.315(f), to enroll in a qualified health plan offered on the New Hampshire health benefit marketplace in order to receive health benefits under the New Hampshire access to health coverage program.

Amend section 2 of the bill by inserting after RSA 126-A:76 the following new RSA section:

126-A:77 Health and Human Services Waiver Advisory Commission Established; Report.

I.(a) There is established the health and human services waiver advisory commission to advise the commissioner of the department of health and human services on the preparation of any Medicaid demonstration waiver under section 1115 of the Social Security Act of 1935, as amended, 42 U.S.C. section 1315, submitted by the department during the year 2014 to the CMS to improve population health, reduce health risks for the Medicaid and CHIP population, and enhance the sustainability of the state's Medicaid financing system. The members of the commission shall be as follows:

- (1) One public member appointed by the governor.
- (2) One public member appointed by president of the senate.
- (3) One public member appointed by the speaker of the house of representatives.
- (4) The commissioner of the department of health and human services, or designee.
- (5) A representative of a critical access hospital, nominated by the New Hampshire Hospital Association and appointed by governor and council.
- (6) A representative of a non-critical access hospital that is not a member of the New Hampshire Hospital Association, nominated by joint agreement of the president of the senate and the speaker of the house of representatives and appointed by governor and council.
- (7) One member who is an executive director of a community mental health center, nominated by New Hampshire Community Behavioral Health Association and appointed by governor and council.
- (8) A representative of the community health centers, nominated by the Bi-State Primary Care Association and appointed by the governor and council.
- (9) One member who is an executive director of an area agency, appointed by the governor and council.

(b) The commission shall:

- (1) Advise the department relative to how an 1115 Medicaid demonstration waiver could serve to integrate and align New Hampshire's Medicaid care management program, the provision of coverage to the newly eligible under this chapter, existing Medicaid waived programs, and other department initiatives in a manner that improves public health, and improves the quality of care and access to care for all Medicaid and CHIP beneficiaries.
- (2) Advise the department relative to the manner in which a demonstration waiver could improve the sustainability of the state's Medicaid financing system, including through federal investment in service delivery and payment reform transformation initiatives.
- (3) Serve as a forum for the formal hearing and public comment on an 1115 Medicaid demonstration.
- (4) Create any subcommittees it deems necessary, which may include members of the public appointed by the chairperson, to assist with the research, analysis, or other work necessary to support its recommendations for a waiver application.
- (5) Provide recommendations to the commissioner on the implementation of any section 1115 waiver approved.

(c) The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the commissioner, or designee, and shall be held within 20 days of the effective date of this section. Five members of the commission shall constitute a quorum.

(d) The department shall provide administrative support to the commission and provide such information, data, testimony, and other assistance as requested by the commission.

(e) The department of health and human services shall regularly update and consult with the commission throughout the process of preparing and submitting a waiver application and shall provide timely and detailed reports to the commission on the department's communications with the CMS during all phases of the waiver application and approval process.

II. On or before January 15, 2014, the commissioner shall make an initial report on the status of the department's work on an 1115 Medicaid demonstration waiver application to the fiscal committee of the general court, and shall report on the waiver application and approval process at each meeting of the fiscal committee thereafter until the waiver application is acted upon by CMS. Amend the bill by replacing section 7 with the following:

7 Department of Health and Human Services; Medicaid Breast and Cervical Cancer Program.

I. Enrollment in the Medicaid breast and cervical cancer program, under 42 U.S.C. section 1396a(aa), shall be suspended 90 days following the commencement of the New Hampshire access to health coverage program, established in section 2 of this act. Any individual covered under the Medicaid breast and cervical cancer program prior to such date for suspension shall continue to be covered for the program unless his or her medical treatment has concluded, or until the next redetermination of his or her eligibility by the department, whichever event occurs later; whereas after, the individual's eligibility for the Medicaid expansion group shall be determined by the department pursuant to RSA 126-A:5, XXII. Commencing January 1, 2014, administrative rule He-W 641.09 shall be limited in its application to only those individuals enrolled in the Medicaid breast and cervical cancer program receiving treatment prior to the date of suspension of the program as provided herein.

II. If a termination of the New Hampshire access to health coverage program occurs pursuant to paragraph II of section 4 of this act, the Medicaid breast and cervical cancer program shall be reinstated under the current Medicaid program.

Amend the bill by replacing section 8 with the following:

8 New Sections; New Hampshire Health Benefit Marketplace. Amend RSA 420-N by inserting after section 10 the following new sections:

420-N:11 New Hampshire Health Benefit Marketplace. The health benefit marketplace established in New Hampshire under section 1311 of the Act shall have the functional capacity necessary to implement the provisions of RSA 126-A:67 through 126-A:76, including, but not limited to facilitating the sale of qualified health plans to qualified individuals and qualified employers in the state beginning with effective dates on or after January 1, 2016. New Hampshire state agencies and departments may plan for and take all actions necessary to establish the marketplace, including applying for, receiving, and expending grants, and contracting with any public or private entities. The commissioner shall adopt rules, under RSA 541-A, to implement this section.

420-N:12 Ambulatory Services. Each health plan offered on a federally-facilitated or state based exchange shall, as a condition of participation in such exchange, offer to each federally-qualified health center, as defined in section 1905(l)(2)(B) of the Social Security Act 42 U.S.C. section 1396d(l)(2) (B), providing services in geographic areas served by the plan, the opportunity to contract with such plan to provide to the plan's enrollees all ambulatory services that are covered by the plan that the center offers to provide and shall reimburse each such center for such services as provided in the act. Provider payments, under this section shall be no less than before the effective date of this section.

Amend the bill by replacing sections 12 and 13 with the following:

12 Repeal. The following are repealed:

I. RSA 420-N:2, III, relative to an oversight committee.

II. RSA 420-N:3, relative to the joint health care reform oversight committee.

III. RSA 420-N:4, relative to implementation of the Act.

IV. RSA 420-N:7, I and IV, relative to prohibition on a state exchange.

V. RSA 161:11, relative to requiring the commissioner of health and human services to seek certain approval from the joint health care reform oversight committee.

VI. RSA 126-A:77, relative to the health and human services waiver advisory commission.

13 Effective Date.

I. Paragraph VI of section 12 of this act shall take effect December 31, 2014.

II. The remainder of this act shall take effect upon its passage.

### APPEAL OF THE RULING OF THE CHAIR

Rep. William O'Brien appealed the ruling of the Chair on the amendment being germane to *SS HB 1-FN-A*, relative to access to health insurance coverage.

The question being shall the ruling of the Chair be upheld.

Rep. Daniel Eaton requested a roll call; sufficiently seconded.

### YEAS 209 NAYS 139

#### YEAS 209

#### BELKNAP

DiMartino, Lisa	Gulick, Ruth	Huot, David	Raymond, Ian
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#### CARROLL

Buco, Thomas	Butler, Edward	Lavender, Tom	Morrow, Harry
Ticehurst, Susan	Umberger, Karen	White, Syndi	

#### CHESHIRE

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Johnsen, Gladys	Lerandeau, Alfred	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles	Young, Harry	

#### COOS

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

#### GRAFTON

Almy, Susan	Benn, Bernard	Brown, Rebecca	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Lauer, Linda
Lovett, Sid	Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Piper, Wendy	Smith, Suzanne	Sykes, George
Townsend, Charles	White, Andrew		

#### HILLSBOROUGH

Backus, Robert	Barry, Richard	Beaulieu, Jane	Booras, Efsthathia
Brown, Pamela	Campbell, David	Carroll, Douglas	Chandley, Shannon
Connor, Evelyn	Cote, David	DiSilvestro, Linda	Dobson, Jeremy
Eaton, Richard	Gage, Ruth	Gale, Sylvia	Gargas, Carolyn
Goley, Jeffrey	Gorman, Mary	Grady, Brenda	Hackel, Paul
Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda	Heath, Mary
Heden, Ruth	Jack, Martin	Jeudy, Jean	Kelley, John
Knowles, Mary Ann	Kopka, Angeline	Kurk, Neal	Leishman, Peter
Levesque, Melanie	Long, Patrick	MacKay, Mariellen	Mangipudi, Latha
Manley, Jonathan Sr	McCloskey, David	McNamara, Richard	Nelson, Mary
O'Brien, Michael Sr	O'Brien, William	O'Neil, William	Porter, Marjorie
Ramsey, Peter	Rhodes, Brian	Rokas, Ted	Rosenwald, Cindy
Schmidt, Janice	Shattuck, Gilman	Smith, Timothy	Soucy, Timothy
Spratt, Stephen	Sullivan, Daniel	Sullivan, Peter	Takesian, Charlene
Vail, Suzanne	Walsh, Robert Jr	Williams, Kermit	Winters, Joel
Woodbury, David			

#### MERRIMACK

Bartlett, Christy	Burns, Scott	Carey, Lorrie	Carson, Clyde
Davis, Frank	Ebel, Karen	Frazer, June	French, Barbara

Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

Henle, Paul  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Hoelzel, Kathleen  
Moody, Marcia  
Scarlottio, Joe  
Ward, Gerald

Borden, David  
Copeland, Timothy  
Flockhart, Eileen  
Lovejoy, Patricia  
Muns, Chris  
Schlachman, Donna  
Wazlaw, Brian

Briden, Steven  
Cushing, Robert Jr  
Heffron, Frank  
Mann, Maureen  
Pantelakos, Laura  
Sherman, Thomas  
Whittemore, Lisa

Cahill, Michael  
Elliott, Robert  
Helmstetter, Barbara  
McKinney, Betsy  
Peckham, Michele  
Till, Mary

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gagnon, Raymond  
O'Hearne, Andrew  
Tanner, Linda

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

### NAYS 139

### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

### CARROLL

Ahlgren, Christopher  
Nelson, Bill

Chandler, Gene  
Schmidt, Stephen

Cordelli, Glenn  
Wright, Donald

Crawford, Karel

### CHESHIRE

Hunt, John

Johnson, Jane

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

### HILLSBOROUGH

Belanger, James  
Cebrowski, John  
Danielson, David  
Haefner, Robert  
Infantine, William

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Hansen, Peter  
Jasper, Shawn

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hikel, John  
Lambert, George

Byron, Frank  
Daniels, Gary  
Graham, John  
Hinch, Richard  
LeBrun, Donald

LeVasseur, Richard  
 Meaney, Richard  
 Ober, Lynne  
 Pratt, Calvin  
 Sandblade, Emily  
 Vaillancourt, Steve

Marston, Dick  
 Murphy, Keith  
 Ober, Russell III  
 Renzullo, Andrew  
 Souza, Kathleen  
 Villeneuve, Moe

Martel, Andre  
 Murphy, Kelleigh  
 Pellegrino, Tony  
 Rowe, Robert  
 Stroud, Kathleen  
 Warden, Mark

McCarthy, Michael  
 Notter, Jeanine  
 Peterson, Lenette  
 Sanborn, Laurie  
 Ulery, Jordan  
 Willette, Robert

### MERRIMACK

Hess, David  
 McGuire, Dan

Hoell, J.R.  
 Smith, Todd

Kotowski, Frank  
 Walsh, Thomas IV

McGuire, Carol

### ROCKINGHAM

Abrami, Patrick  
 Bick, Patrick  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Garcia, Marilinda  
 Hayes, Jack  
 Kappler, Lawrence  
 Major, Norman  
 O'Connor, John  
 Sanders, Elisabeth  
 St.James, Kevin  
 Tasker, Kyle  
 Weyler, Kenneth

Allen, Mary  
 Birdsell, Regina  
 Devine, James  
 Ferrante, Beverly  
 Gordon, Richard  
 Hodgdon, Bruce  
 Khan, Aboul  
 McMahon, Charles  
 Oigny, Jeffrey  
 Sapareto, Frank  
 Sweeney, Joe  
 Tucker, Pamela

Baldasaro, Alfred  
 Charron, Gene  
 Duarte, Joe  
 Fesh, Robert  
 Griffin, Mary  
 Introne, Robert  
 Kolodziej, Walter  
 Miltz, David  
 Priestley, Anne  
 Schroadter, Adam  
 Sytek, John  
 Waterhouse, Kevin

Belanger, Ronald  
 Comerford, Timothy  
 Dumaine, Dudley  
 Garcia, Bianca  
 Harris, Jeffrey  
 Itse, Daniel  
 Lundgren, David  
 Nigrello, Robert  
 Rice, Frederick  
 Sedensky, John  
 Tamburello, Daniel  
 Webb, James Sr

### STRAFFORD

Beaudoin, Steven  
 Mullen, John Jr

Gray, James  
 Parsons, Robbie

Groen, Warren  
 Pitre, Joseph

Jones, Laura

### SULLIVAN

Osgood, Joe  
 and the ruling of the Chair was upheld.

### APPEAL OF THE RULING OF THE CHAIR

Rep. William O'Brien appealed the ruling of the Chair on Section 7 of the amendment to *SS HB 1-FN-A*, relative to access to health insurance coverage, being germane.

The question being shall the ruling of the Chair be upheld.

Rep. Lambert requested a roll call; sufficiently seconded.

**YEAS 215 NAYS 137**

### YEAS 215

#### BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

#### CARROLL

Buco, Thomas  
 Ticehurst, Susan

Butler, Edward  
 Umberger, Karen

Chandler, Gene  
 White, Syndi

Lavender, Tom

### CHESHIRE

Ames, Richard  
 Eaton, Daniel  
 Mann, John  
 Robertson, Timothy  
 Weber, Lucy

Berch, Paul  
 Johnsen, Gladys  
 Parkhurst, Henry  
 Sad, Tara  
 Weed, Charles

Butynski, William  
 Lerandau, Alfred  
 Phillips, Larry  
 Shepardson, Marjorie  
 Young, Harry

Chase, Cynthia  
 Ley, Douglas  
 Roberts, Kris  
 Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Cooney, Mary  
Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Bailey, Brad  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Dobson, Jeremy  
Gargas, Carolyn  
Hackel, Paul  
Heath, Mary  
Judy, Jean  
Kurk, Neal  
Long, Patrick  
McCloskey, David  
O'Brien, William  
Rhodes, Brian  
Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr

Barry, Richard  
Campbell, David  
Cote, David  
Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Neil, William  
Rokas, Ted  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
Danielson, David  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Knowles, Mary Ann  
Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy  
Soucy, Timothy  
Takesian, Charlene  
Winters, Joel

Booras, Efstathia  
Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Jasper, Shawn  
Kopka, Angeline  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice  
Spratt, Stephen  
Vail, Suzanne  
Woodbury, David

**MERRIMACK**

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

Carey, Lorrie  
Frazer, June  
Hess, David  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Carson, Clyde  
French, Barbara  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Mann, Maureen  
Pantelakos, Laura  
Sherman, Thomas  
Wazlaw, Brian

Borden, David  
Copeland, Timothy  
Heffron, Frank  
McKinney, Betsy  
Peckham, Michele  
Sytek, John  
Whittemore, Lisa

Briden, Steven  
Cushing, Robert Jr  
Helmstetter, Barbara  
Moody, Marcia  
Scarlott, Joe  
Till, Mary

Cahill, Michael  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Muns, Chris  
Schlachman, Donna  
Ward, Gerald

**STRAFFORD**

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gagnon, Raymond  
O'Hearne, Andrew  
Tanner, Linda

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

**NAYS 137****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
 Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
Morrow, Harry

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

McConkey, Mark  
Wright, Donald

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Doolan, Ralph Jr

Gionet, Edmond

Reilly, Harold Sr

**HILLSBOROUGH**

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Hansen, Peter  
Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Vaillancourt, Steve

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Hikel, John  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Villeneuve, Moe

Burt, John  
Culbert, Patrick  
Graham, John  
Hinch, Richard  
LeVasseur, Richard  
Meaney, Richard  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Warden, Mark

Byron, Frank  
Daniels, Gary  
Haefner, Robert  
Infantine, William  
Marston, Dick  
Murphy, Keith  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Ulery, Jordan  
Willette, Robert

**MERRIMACK**

Hoell, J.R.  
Smith, Todd

Kotowski, Frank  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Priestley, Anne  
Schroader, Adam  
Tamburello, Daniel  
Webb, James Sr

Allen, Mary  
Birdsell, Regina  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Nigrello, Robert  
Rice, Frederick  
Sedensky, John  
Tasker, Kyle  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
O'Connor, John  
Sanders, Elisabeth  
St.James, Kevin  
Tucker, Pamela

Belanger, Ronald  
Comerford, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
McMahon, Charles  
Oigny, Jeffrey  
Sapareto, Frank  
Sweeney, Joe  
Waterhouse, Kevin



**STRAFFORD**

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

**SULLIVAN**

Osgood, Joe  
and the ruling of the Chair was upheld.

Rollins, Skip

**MOTION TO DIVIDE**

Rep. William O'Brien moved to divide *SS HB 1-FN-A*, relative to access to health insurance coverage.

Speaker ruled the motion out of order.

**APPEAL OF THE RULING OF THE CHAIR**

Rep. William O'Brien appealed the ruling of the Chair on the motion being out of order to divide *SS HB 1-FN-A*, relative to access to health insurance coverage.

The question being shall the ruling of the Chair be upheld.

Rep. Tamburello requested a roll call; sufficiently seconded.

**YEAS 219 NAYS 133**

**YEAS 219****BELKNAP**

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Flanders, Donald  
Tilton, Franklin

Gulick, Ruth

**CARROLL**

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
Umberger, Karen

Lavender, Tom  
White, Syndi

McConkey, Mark

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Cooney, Mary  
Ladd, Rick Jr  
Mulholland, Catherine  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Dobson, Jeremy  
Gargas, Carolyn  
Graham, John  
Harriott-Gathright, Linda  
Jasper, Shawn

Barry, Richard  
Campbell, David  
Cote, David  
Eaton, Richard  
Goley, Jeffrey  
Hackel, Paul  
Heath, Mary  
Judy, Jean

Beaulieu, Jane  
Carroll, Douglas  
Danielson, David  
Gage, Ruth  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Kelley, John

Booras, Efstathia  
Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Jack, Martin  
Knowles, Mary Ann

Kopka, Angeline  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice  
Spratt, Stephen  
Vail, Suzanne  
Woodbury, David

Kurk, Neal  
Long, Patrick  
McCloskey, David  
O'Brien, William  
Rhodes, Brian  
Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr

Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Neil, William  
Rokas, Ted  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy  
Soucy, Timothy  
Takesian, Charlene  
Winters, Joel

### MERRIMACK

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

Carson, Clyde  
French, Barbara  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Introne, Robert  
Moody, Marcia  
Scarlotta, Joe  
Sytek, John  
Whittemore, Lisa

Borden, David  
Copeland, Timothy  
Heffron, Frank  
Lovejoy, Patricia  
Muns, Chris  
Schlachman, Donna  
Till, Mary

Briden, Steven  
Cushing, Robert Jr  
Helmstetter, Barbara  
Mann, Maureen  
Pantelakos, Laura  
Sherman, Thomas  
Ward, Gerald

Cahill, Michael  
Emerson-Brown, Rebecca  
Hoelzel, Kathleen  
McKinney, Betsy  
Peckham, Michele  
Sweeney, Joe  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia

Gagnon, Raymond  
O'Hearne, Andrew  
Tanner, Linda

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Smith, Steven

### NAYS 133

### BELKNAP

Burchell, Richard  
Greemore, Robert Jr  
Vadney, Herbert

Comtois, Guy  
Holmes, Stephen  
Worsman, Colette

Cormier, Jane  
Luther, Robert

Fink, Charles  
Sylvia, Michael

### CARROLL

Ahlgren, Christopher  
Morrow, Harry

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

Crawford, Karel  
Wright, Donald

### CHESHIRE

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad

Doolan, Ralph Jr

Gionet, Edmond

Reilly, Harold Sr

Shackett, Jeffrey

**HILLSBOROUGH**

Belanger, James

Boehm, Ralph

Burt, John

Byron, Frank

Cebrowski, John

Coffey, James

Culbert, Patrick

Daniels, Gary

Flanagan, Jack

Gagne, Larry

Haefner, Robert

Hansen, Peter

Hikel, John

Hinch, Richard

Infantine, William

Lambert, George

LeBrun, Donald

LeVasseur, Richard

Marston, Dick

Martel, Andre

McCarthy, Michael

Meaney, Richard

Murphy, Keith

Murphy, Kelleigh

Notter, Jeanine

Ober, Lynne

Ober, Russell III

Parison, James

Pellegrino, Tony

Peterson, Lenette

Pratt, Calvin

Renzullo, Andrew

Rowe, Robert

Sanborn, Laurie

Sandblade, Emily

Souza, Kathleen

Straight, Philip

Stroud, Kathleen

Ulery, Jordan

Vaillancourt, Steve

Villeneuve, Moe

Warden, Mark

Willette, Robert

**MERRIMACK**

Hess, David

Hoell, J.R.

Kotowski, Frank

McGuire, Carol

McGuire, Dan

Smith, Todd

Walsh, Thomas IV

**ROCKINGHAM**

Abrami, Patrick

Allen, Mary

Baldasaro, Alfred

Belanger, Ronald

Bick, Patrick

Birdsell, Regina

Charron, Gene

Comerford, Timothy

DeSimone, Debra

Devine, James

Duarte, Joe

Dumaine, Dudley

Elliott, Robert

Emerick, J. Tracy

Ferrante, Beverly

Fesh, Robert

Garcia, Bianca

Garcia, Marilinda

Gordon, Richard

Griffin, Mary

Harris, Jeffrey

Hayes, Jack

Hodgdon, Bruce

Itse, Daniel

Kappler, Lawrence

Khan, Aboul

Kolodziej, Walter

Lundgren, David

Major, Norman

McMahon, Charles

Milz, David

Nigrello, Robert

O'Connor, John

Oigny, Jeffrey

Priestley, Anne

Rice, Frederick

Sanders, Elisabeth

Sapareto, Frank

Schroadter, Adam

Sedensky, John

St.James, Kevin

Tamburello, Daniel

Tasker, Kyle

Tucker, Pamela

Waterhouse, Kevin

Webb, James Sr

Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven

Gray, James

Groen, Warren

Jones, Laura

Mullen, John Jr

Parsons, Robbie

Pitre, Joseph

**SULLIVAN**

Osgood, Joe

Rollins, Skip

and the ruling of the Chair was upheld.

**APPEAL OF THE RULING OF THE CHAIR**

Rep. William O'Brien appealed the ruling of the Chair on the decision by the Speaker to not recognize the member for a parliamentary inquiry.

The question being shall the ruling of the Chair be upheld.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 215 NAYS 137****YEAS 215****BELKNAP**

DiMartino, Lisa

Flanders, Donald

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
White, Syndi

Lavender, Tom

Morrow, Harry

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihn, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

Cooney, Mary  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Dobson, Jeremy  
Gargas, Carolyn  
Hackel, Paul  
Harriott-Gathright, Linda  
Jasper, Shawn  
Kopka, Angeline  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice  
Spratt, Stephen  
Vail, Suzanne  
Woodbury, David

Barry, Richard  
Campbell, David  
Cote, David  
Eaton, Richard  
Goley, Jeffrey  
Haefner, Robert  
Heath, Mary  
Judy, Jean  
Kurk, Neal  
Long, Patrick  
McCloskey, David  
O'Brien, William  
Rhodes, Brian  
Shattuck, Gilman  
Sullivan, Daniel  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
Danielson, David  
Gage, Ruth  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Neil, William  
Rokas, Ted  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Booras, Efstathia  
Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Jack, Martin  
Knowles, Mary Ann  
Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy  
Soucy, Timothy  
Takesian, Charlene  
Winters, Joel

**MERRIMACK**

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Carson, Clyde  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Copeland, Timothy  
Flockhart, Eileen  
Lovejoy, Patricia  
Moody, Marcia

Borden, David  
Cushing, Robert Jr  
Heffron, Frank  
Major, Norman  
Muns, Chris

Briden, Steven  
Elliott, Robert  
Helmstetter, Barbara  
Mann, Maureen  
Pantelakos, Laura

Cahill, Michael  
Emerson-Brown, Rebecca  
Hoelzel, Kathleen  
McKinney, Betsy  
Peckham, Michele

Scarlottio, Joe  
Sytek, John  
Whittemore, Lisa

Schlachman, Donna  
Till, Mary

Sherman, Thomas  
Ward, Gerald

St.James, Kevin  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Grenier, James  
Sweeney, Cynthia

### NAYS 137

### BELKNAP

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Greemore, Robert Jr  
Tilton, Franklin

Cormier, Jane  
Holmes, Stephen  
Vadney, Herbert

Fields, Dennis  
Luther, Robert  
Worsman, Colette

### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Wright, Donald

Chandler, Gene  
Nelson, Bill

Cordelli, Glenn  
Schmidt, Stephen

Crawford, Karel  
Umberger, Karen

### CHESHIRE

Hunt, John

Johnson, Jane

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

### HILLSBOROUGH

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Hikel, John  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Villeneuve, Moe

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Hinch, Richard  
LeVasseur, Richard  
Meaney, Richard  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Warden, Mark

Burt, John  
Culbert, Patrick  
Graham, John  
Hopper, Gary  
Marston, Dick  
Murphy, Keith  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Ulery, Jordan  
Willette, Robert

Byron, Frank  
Daniels, Gary  
Hansen, Peter  
Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Vaillancourt, Steve

### MERRIMACK

Hess, David  
Smith, Todd

Hoell, J.R.  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abraimi, Patrick  
Bick, Patrick

Allen, Mary  
Birdsell, Regina

Baldasaro, Alfred  
Cali-Pitts, Jacqueline

Belanger, Ronald  
Charron, Gene

Comerford, Timothy  
Dumaine, Dudley  
Garcia, Bianca  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
O'Connor, John  
Sanders, Elisabeth  
Sweeney, Joe  
Waterhouse, Kevin

DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Marilinda  
Hayes, Jack  
Kappler, Lawrence  
McMahon, Charles  
Oligny, Jeffrey  
Sapareto, Frank  
Tamburello, Daniel  
Webb, James Sr

Devine, James  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Khan, Aboul  
Milz, David  
Priestley, Anne  
Schroadter, Adam  
Tasker, Kyle  
Weyler, Kenneth

Duarte, Joe  
Fesh, Robert  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
Nigrello, Robert  
Rice, Frederick  
Sedensky, John  
Tucker, Pamela

### STRAFFORD

Beaudoin, Steven  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

Jones, Laura

### SULLIVAN

Osgood, Joe  
and the ruling of the Chair was upheld.

Rollins, Skip

Smith, Steven

### MOTION TO INDEFINITELY POSTPONE

Rep. Vaillancourt moved that *SS HB 1-FN-A*, relative to access to health insurance coverage, be indefinitely postponed.

Reps. Vaillancourt, Cormier and Dan McGuire spoke in favor and yielded to questions.

Rep. Shurtleff requested a roll call; sufficiently seconded.

### YEAS 159 NAYS 195

#### YEAS 159

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Hunt, John

Johnson, Jane

Roberts, Kris

#### COOS

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

#### GRAFTON

Bailey, Brad  
Ladd, Rick Jr

Brown, Rebecca  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

#### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
LeBrun, Donald

Belanger, James  
Cebrowski, John  
Danielson, David  
Gargaszy, Carolyn  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard

Boehm, Ralph  
Coffey, James  
Dobson, Jeremy  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick

Burt, John  
Culbert, Patrick  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre

McCarthy, Michael  
 Notter, Jeanine  
 Pellegrino, Tony  
 Rowe, Robert  
 Straight, Philip  
 Vaillancourt, Steve

Meaney, Richard  
 Ober, Lynne  
 Peterson, Lenette  
 Sanborn, Laurie  
 Stroud, Kathleen  
 Villeneuve, Moe

Murphy, Keith  
 Ober, Russell III  
 Pratt, Calvin  
 Sandblade, Emily  
 Takesian, Charlene  
 Warden, Mark

Murphy, Kelleigh  
 Parison, James  
 Renzullo, Andrew  
 Souza, Kathleen  
 Ulery, Jordan  
 Willette, Robert

### **MERRIMACK**

Hess, David  
 McGuire, Dan

Kotowski, Frank  
 Smith, Todd

Lockwood, Priscilla  
 Walsh, Thomas IV

McGuire, Carol

### **ROCKINGHAM**

Abrami, Patrick  
 Bick, Patrick  
 Copeland, Timothy  
 Dumaine, Dudley  
 Garcia, Bianca  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 McMahon, Charles  
 Oligny, Jeffrey  
 Sanders, Elisabeth  
 St.James, Kevin  
 Tucker, Pamela

Allen, Mary  
 Birdsell, Regina  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Garcia, Marilinda  
 Harris, Jeffrey  
 Itse, Daniel  
 Lundgren, David  
 Milz, David  
 Peckham, Michele  
 Sapareto, Frank  
 Sweeney, Joe  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Charron, Gene  
 Devine, James  
 Ferrante, Beverly  
 Gordon, Richard  
 Hayes, Jack  
 Kappler, Lawrence  
 Major, Norman  
 Nigrello, Robert  
 Priestley, Anne  
 Schroadter, Adam  
 Sytek, John  
 Webb, James Sr

Belanger, Ronald  
 Comerford, Timothy  
 Duarte, Joe  
 Fesh, Robert  
 Grace, Curtis  
 Hodgdon, Bruce  
 Khan, Aboul  
 McKinney, Betsy  
 O'Connor, John  
 Rice, Frederick  
 Sedensky, John  
 Tamburello, Daniel  
 Weyler, Kenneth

### **STRAFFORD**

Beaudoin, Steven  
 Jones, Laura

Bickford, David  
 Mullen, John Jr

Gray, James  
 Parsons, Robbie

Groen, Warren  
 Pitre, Joseph

### **SULLIVAN**

Grenier, James

Osgood, Joe

Rollins, Skip

Smith, Steven

### **NAYS 195**

### **BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

### **CARROLL**

Buco, Thomas  
 White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### **CHESHIRE**

Ames, Richard  
 Eaton, Daniel  
 Mann, John  
 Sad, Tara  
 Weed, Charles

Berch, Paul  
 Johnsen, Gladys  
 Parkhurst, Henry  
 Shepardson, Marjorie  
 Young, Harry

Butynski, William  
 Lerandeau, Alfred  
 Phillips, Larry  
 Tatro, Bruce

Chase, Cynthia  
 Ley, Douglas  
 Robertson, Timothy  
 Weber, Lucy

### **COOS**

Coulombe, Gary  
 Moynihan, Wayne

Enman, Larry  
 Theberge, Robert

Hammon, Marcia  
 Thomas, Yvonne

Hatch, William

### **GRAFTON**

Almy, Susan  
 Friedrich, Carol  
 Massimilla, Linda  
 Piper, Wendy  
 White, Andrew

Benn, Bernard  
 Harding, Laurie  
 Mulholland, Catherine  
 Smith, Suzanne

Cooney, Mary  
 Lauer, Linda  
 Nordgren, Sharon  
 Sykes, George

Ford, Susan  
 Lovett, Sid  
 Pastor, Beatriz  
 Townsend, Charles

**HILLSBOROUGH**

Backus, Robert  
 Carroll, Douglas  
 DiSilvestro, Linda  
 Goley, Jeffrey  
 Hammond, Jill  
 Heden, Ruth  
 Knowles, Mary Ann  
 Levesque, Melanie  
 Manley, Jonathan Sr  
 O'Brien, Michael Sr  
 Ramsey, Peter  
 Schmidt, Janice  
 Soucy, Timothy  
 Vail, Suzanne  
 Woodbury, David

Booras, Efstathia  
 Chandley, Shannon  
 Eaton, Richard  
 Gorman, Mary  
 Hansberry, Daniel  
 Jack, Martin  
 Kopka, Angeline  
 Long, Patrick  
 McCloskey, David  
 O'Brien, William  
 Rhodes, Brian  
 Shattuck, Gilman  
 Spratt, Stephen  
 Walsh, Robert Jr

Brown, Pamela  
 Connor, Evelyn  
 Gage, Ruth  
 Grady, Brenda  
 Harriott-Gathright, Linda  
 Jeudy, Jean  
 Leishman, Peter  
 MacKay, Mariellen  
 McNamara, Richard  
 O'Neil, William  
 Rokas, Ted  
 Shaw, Barbara  
 Sullivan, Daniel  
 Williams, Kermit

Campbell, David  
 Cote, David  
 Gale, Sylvia  
 Hackel, Paul  
 Heath, Mary  
 Kelley, John  
 Levasseur, Nickolas  
 Mangipudi, Latha  
 Nelson, Mary  
 Porter, Marjorie  
 Rosenwald, Cindy  
 Smith, Timothy  
 Sullivan, Peter  
 Winters, Joel

**MERRIMACK**

Bartlett, Christy  
 Davis, Frank  
 Gile, Mary  
 Hunt, Jane  
 Moffett, Howard  
 Rice, Chip  
 Schuett, Dianne  
 Watrous, Rick

Burns, Scott  
 Ebel, Karen  
 Henle, Paul  
 Karrick, David Jr  
 Myler, Mel  
 Richardson, Gary  
 Shurtleff, Stephen  
 Webb, Leigh

Carey, Lorrie  
 Frazer, June  
 Hirsch, Geoffrey  
 Kelly, Sally  
 Patten, Dick  
 Rogers, Katherine  
 Tilton, Joy

Carson, Clyde  
 French, Barbara  
 Hoell, J.R.  
 MacKay, James  
 Ratzki, Mario  
 Schamberg, Thomas  
 Wallner, Mary Jane

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
 Cali-Pitts, Jacqueline  
 Flockhart, Eileen  
 Lovejoy, Patricia  
 Pantelakos, Laura  
 Till, Mary

Borden, David  
 Cushing, Robert Jr  
 Heffron, Frank  
 Mann, Maureen  
 Scarlotto, Joe  
 Ward, Gerald

Briden, Steven  
 Elliott, Robert  
 Helmstetter, Barbara  
 Moody, Marcia  
 Schlachman, Donna  
 Wazlaw, Brian

Cahill, Michael  
 Emerson-Brown, Rebecca  
 Introne, Robert  
 Muns, Chris  
 Sherman, Thomas  
 Whittemore, Lisa

**STRAFFORD**

Baber, William  
 Burke, Rachel  
 Hooper, Dorothea  
 Ketel, Stephen  
 Pelletier, Marsha  
 Schmidt, Peter  
 Ward, Kenneth

Berube, Roger  
 Gardner, Janice  
 Horrigan, Timothy  
 Malloy, Dennis  
 Perry, Robert  
 Spang, Judith

Bixby, Peter  
 Grassie, Anne  
 Hubbard, Pamela  
 Menear, H. Robert III  
 Rogers, Rose Marie  
 Verschueren, James

Burdwood, Greg  
 Grossman, Kenneth  
 Kaen, Naida  
 Miller, David  
 Rollo, Deanna  
 Wall, Janet

**SULLIVAN**

Cloutier, John  
 O'Hearne, Andrew  
 and the motion failed.

Gagnon, Raymond  
 Schmidt, Andrew

Gottling, Suzanne  
 Sweeney, Cynthia

Lefebvre, Benjamin  
 Tanner, Linda

**MOTION TO ADJOURN**

Rep. Hikel moved that the House adjourn.

Rep. Lambert requested a roll call; sufficiently seconded.

**YEAS 144 NAYS 211**

**YEAS 144**  
**BELKNAP**

Burchell, Richard  
 Flanders, Donald  
 Tilton, Franklin

Comtois, Guy  
 Greemore, Robert Jr  
 Vadney, Herbert

Cormier, Jane  
 Luther, Robert  
 Worsman, Colette

Fink, Charles  
 Sylvia, Michael



**CARROLL**

Chandler, Gene  
Merrrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

McConkey, Mark  
Umberger, Karen

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

Reilly, Harold Sr

**HILLSBOROUGH**

Belanger, James  
Cebrowski, John  
Danielson, David  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Ulery, Jordan  
Willette, Robert

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Vaillancourt, Steve

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Villeneuve, Moe

Byron, Frank  
Daniels, Gary  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Takesian, Charlene  
Warden, Mark

**MERRIMACK**

Hess, David  
Shurtleff, Stephen

Kotowski, Frank  
Smith, Todd

McGuire, Carol  
Walsh, Thomas IV

McGuire, Dan

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
DeSimone, Debra  
Emerick, J. Tracy  
Gordon, Richard  
Hayes, Jack  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Scarlotto, Joe  
Tamburello, Daniel  
Weyler, Kenneth

Allen, Mary  
Birdsell, Regina  
Devine, James  
Ferrante, Beverly  
Grace, Curtis  
Hodgdon, Bruce  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
Schroadtter, Adam  
Tucker, Pamela

Baldasaro, Alfred  
Charron, Gene  
Duarte, Joe  
Fesh, Robert  
Griffin, Mary  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oligny, Jeffrey  
Sanders, Elisabeth  
Sedensky, John  
Waterhouse, Kevin

Belanger, Ronald  
Comerford, Timothy  
Dumaine, Dudley  
Garcia, Bianca  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
Milz, David  
Peckham, Michele  
Sapareto, Frank  
Sweeney, Joe  
Webb, James Sr

**STRAFFORD**

Baudoin, Steven  
Menear, H. Robert III

Bickford, David  
Mullen, John Jr

Groen, Warren  
Parsons, Robbie

Jones, Laura  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Osgood, Joe

Rollins, Skip

**NAYS 211**

**BELKNAP**

DiMartino, Lisa  
Huot, David

Fields, Dennis  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

**CARROLL**

Ahlgren, Christopher  
Ticehurst, Susan

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Mann, John

Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Cooney, Mary  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

Bailey, Brad  
Ford, Susan  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Friedrich, Carol  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Barry, Richard  
Campbell, David  
Cote, David  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Brien, William  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeady, Jean  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Neil, William  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Booras, Efstathia  
Chandley, Shannon  
Dobson, Jeremy  
Gargas, Carolyn  
Hackel, Paul  
Heath, Mary  
Kelley, John  
Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

**MERRIMACK**

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Watrous, Rick

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Webb, Leigh

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Tilton, Joy

Carson, Clyde  
French, Barbara  
Hoell, J.R.  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Wallner, Mary Jane

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Moody, Marcia  
Sherman, Thomas  
Ward, Gerald

Borden, David  
Copeland, Timothy  
Flockhart, Eileen  
Hoelzel, Kathleen  
Muns, Chris  
St.James, Kevin  
Wazlaw, Brian

Briden, Steven  
Cushing, Robert Jr  
Garcia, Marilinda  
Lovejoy, Patricia  
Pantelakos, Laura  
Sytek, John  
Whittemore, Lisa

Cahill, Michael  
Elliott, Robert  
Heffron, Frank  
Mann, Maureen  
Schlachman, Donna  
Till, Mary

**STRAFFORD**

Baber, William  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Rogers, Rose Marie  
Verschuieren, James

Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Wall, Janet

**SULLIVAN**

Cloutier, John  
O'Hearne, Andrew  
Tanner, Linda  
and the motion failed.

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Smith, Steven

Lefebvre, Benjamin  
Sweeney, Cynthia

**MOTION TO PRINT DEBATE**

Rep. Jones moved that the debate on the motion to Indefinitely Postpone *SS HB 1-FN-A*, relative to access to health insurance coverage, be printed in the Permanent Journal.

Rep. Tamburello requested a roll call; sufficiently seconded.

**YEAS 115 NAYS 240****YEAS 115****BELKNAP**

Burchell, Richard  
Greenmore, Robert Jr  
Tilton, Franklin

Comtois, Guy  
Holmes, Stephen  
Vadney, Herbert

Cormier, Jane  
Luther, Robert  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

**CARROLL**

Ahlgren, Christopher  
Wright, Donald

Cordelli, Glenn

Nelson, Bill

Schmidt, Stephen

**CHESHIRE**

Roberts, Kris

**COOS**

Rappaport, Laurence

**GRAFTON**

Bailey, Brad

Gionet, Edmond

Reilly, Harold Sr

**HILLSBOROUGH**

Boehm, Ralph  
Cebrowski, John  
Flanagan, Jack  
Infantine, William  
Marston, Dick  
Murphy, Kelleigh  
Pellegrino, Tony  
Sanborn, Laurie  
Straight, Philip  
Willette, Robert

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Lambert, George  
Martel, Andre  
Nelson, Mary  
Peterson, Lenette  
Sandblade, Emily  
Stroud, Kathleen

Byron, Frank  
Daniels, Gary  
Hikel, John  
LeBrun, Donald  
Meaney, Richard  
Notter, Jeanine  
Pratt, Calvin  
Soucy, Timothy  
Ulery, Jordan

Carroll, Douglas  
Danielson, David  
Hopper, Gary  
LeVasseur, Richard  
Murphy, Keith  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Villeneuve, Moe

**MERRIMACK**

Hess, David

Hoell, J.R.

McGuire, Carol

Walsh, Thomas IV

**ROCKINGHAM**

Allen, Mary  
Borden, David

Baldasaro, Alfred  
Charron, Gene

Bick, Patrick  
Comerford, Timothy

Birdsell, Regina  
DeSimone, Debra

Devine, James  
 Ferrante, Beverly  
 Gordon, Richard  
 Hodgdon, Bruce  
 Khan, Aboul  
 McMahon, Charles  
 Priestley, Anne  
 Schroadter, Adam  
 Tucker, Pamela  
 Weyler, Kenneth

Duarte, Joe  
 Fesh, Robert  
 Grace, Curtis  
 Hoelzel, Kathleen  
 Kolodziej, Walter  
 Nigrello, Robert  
 Rice, Frederick  
 Sedensky, John  
 Waterhouse, Kevin

Dumaine, Dudley  
 Garcia, Bianca  
 Griffin, Mary  
 Itse, Daniel  
 Major, Norman  
 O'Connor, John  
 Sanders, Elisabeth  
 St.James, Kevin  
 Wazlaw, Brian

Emerick, J. Tracy  
 Garcia, Marilinda  
 Hayes, Jack  
 Kappler, Lawrence  
 McKinney, Betsy  
 Oigny, Jeffrey  
 Sapareto, Frank  
 Tamburello, Daniel  
 Webb, James Sr

## STRAFFORD

Beaudoin, Steven  
 Parsons, Robbie

Groen, Warren  
 Pitre, Joseph

Jones, Laura

Menear, H. Robert III

## SULLIVAN

Osgood, Joe

Schmidt, Andrew

## NAYS 240

## BELKNAP

DiMartino, Lisa  
 Huot, David

Fields, Dennis  
 Raymond, Ian

Flanders, Donald

Gulick, Ruth

## CARROLL

Buco, Thomas  
 Lavender, Tom  
 Umberger, Karen

Butler, Edward  
 McConkey, Mark  
 White, Syndi

Chandler, Gene  
 Merrow, Harry

Crawford, Karel  
 Ticehurst, Susan

## CHESHIRE

Ames, Richard  
 Eaton, Daniel  
 Lerandeau, Alfred  
 Phillips, Larry  
 Tatro, Bruce

Berch, Paul  
 Hunt, John  
 Ley, Douglas  
 Robertson, Timothy  
 Weber, Lucy

Butynski, William  
 Johnsen, Gladys  
 Mann, John  
 Sad, Tara  
 Weed, Charles

Chase, Cynthia  
 Johnson, Jane  
 Parkhurst, Henry  
 Shepardson, Marjorie  
 Young, Harry

## COOS

Coulombe, Gary  
 Moynihan, Wayne  
 Thomas, Yvonne

Enman, Larry  
 Richardson, Herbert

Hammon, Marcia  
 Rideout, Leon

Hatch, William  
 Theberge, Robert

## GRAFTON

Almy, Susan  
 Doolan, Ralph Jr  
 Ladd, Rick Jr  
 Mulholland, Catherine  
 Shackett, Jeffrey  
 White, Andrew

Benn, Bernard  
 Ford, Susan  
 Lauer, Linda  
 Nordgren, Sharon  
 Smith, Suzanne

Brown, Rebecca  
 Friedrich, Carol  
 Lovett, Sid  
 Pastor, Beatriz  
 Sykes, George

Cooney, Mary  
 Harding, Laurie  
 Massimilla, Linda  
 Piper, Wendy  
 Townsend, Charles

## HILLSBOROUGH

Backus, Robert  
 Booras, Efstathia  
 Coffey, James  
 Dobson, Jeremy  
 Gargas, Carolyn  
 Graham, John  
 Hansberry, Daniel  
 Heden, Ruth

Barry, Richard  
 Brown, Pamela  
 Connor, Evelyn  
 Eaton, Richard  
 Goley, Jeffrey  
 Hackel, Paul  
 Hansen, Peter  
 Hinch, Richard

Beaulieu, Jane  
 Campbell, David  
 Cote, David  
 Gage, Ruth  
 Gorman, Mary  
 Haefner, Robert  
 Harriott-Gathright, Linda  
 Jack, Martin

Belanger, James  
 Chandley, Shannon  
 DiSilvestro, Linda  
 Gale, Sylvia  
 Grady, Brenda  
 Hammond, Jill  
 Heath, Mary  
 Jasper, Shawn

Judy, Jean  
Kurk, Neal  
Long, Patrick  
McCarthy, Michael  
O'Brien, William  
Porter, Marjorie  
Rosenwald, Cindy  
Shaw, Barbara  
Sullivan, Peter  
Walsh, Robert Jr  
Woodbury, David

Kelley, John  
Leishman, Peter  
MacKay, Mariellen  
McCloskey, David  
O'Neil, William  
Ramsey, Peter  
Rowe, Robert  
Smith, Timothy  
Takesian, Charlene  
Warden, Mark

Knowles, Mary Ann  
Levasseur, Nickolas  
Mangipudi, Latha  
McNamara, Richard  
Ober, Lynne  
Rhodes, Brian  
Schmidt, Janice  
Spratt, Stephen  
Vail, Suzanne  
Williams, Kermit

Kopka, Angeline  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ober, Russell III  
Rokas, Ted  
Shattuck, Gilman  
Sullivan, Daniel  
Vaillancourt, Steve  
Winters, Joel

### MERRIMACK

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
MacKay, James  
Patten, Dick  
Rogers, Katherine  
Smith, Todd  
Webb, Leigh

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
McGuire, Dan  
Ratzki, Mario  
Schamberg, Thomas  
Tilton, Joy

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Kotowski, Frank  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Wallner, Mary Jane

Carson, Clyde  
French, Barbara  
Hunt, Jane  
Lockwood, Priscilla  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Watrous, Rick

### ROCKINGHAM

Abrami, Patrick  
Cahill, Michael  
Elliott, Robert  
Heffron, Frank  
Lundgren, David  
Muns, Chris  
Schlachman, Donna  
Till, Mary

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Mann, Maureen  
Pantelakos, Laura  
Sherman, Thomas  
Ward, Gerald

Belanger, Ronald  
Copeland, Timothy  
Flockhart, Eileen  
Introne, Robert  
Milz, David  
Peckham, Michele  
Sweeney, Joe  
Whittemore, Lisa

Briden, Steven  
Cushing, Robert Jr  
Harris, Jeffrey  
Lovejoy, Patricia  
Moody, Marcia  
Scarlottio, Joe  
Sytek, John

### STRAFFORD

Baber, William  
Burdwood, Greg  
Gray, James  
Hubbard, Pamela  
Miller, David  
Rogers, Rose Marie  
Verschuere, James

Berube, Roger  
Burke, Rachel  
Grossman, Kenneth  
Kaen, Naida  
Mullen, John Jr  
Rollo, Deanna  
Wall, Janet

Bickford, David  
Gardner, Janice  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Bixby, Peter  
Grassie, Anne  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Sweeney, Cynthia  
and the motion failed.

Gagnon, Raymond  
O'Hearne, Andrew  
Tanner, Linda

Gottling, Suzanne  
Rollins, Skip

Grenier, James  
Smith, Steven

The question now being adoption of the majority committee amendment on **SS HB 1-FN-A**, relative to access to health insurance coverage.

Rep. William O'Brien requested a roll call; sufficiently seconded.

**YEAS 204 NAYS 151**

**YEAS 204**

**BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas  
Umberger, Karen

Butler, Edward  
White, Syndi

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihn, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

Cooney, Mary  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Brien, William  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

Barry, Richard  
Campbell, David  
Cote, David  
Gage, Ruth  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeuzy, Jean  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Neil, William  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gale, Sylvia  
Hackel, Paul  
Heath, Mary  
Kelley, John  
Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

Booras, Efstathia  
Chandley, Shannon  
Dobson, Jeremy  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

**MERRIMACK**

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

Carson, Clyde  
French, Barbara  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Emerson-Brown, Rebecca  
Helmstetter, Barbara  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Belanger, Ronald  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Khan, Aboul  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

Borden, David  
Cushing, Robert Jr  
Hayes, Jack  
Lovejoy, Patricia  
Pantelakos, Laura  
Till, Mary

Briden, Steven  
Elliott, Robert  
Heffron, Frank  
Mann, Maureen  
Scarlottio, Joe  
Ward, Gerald

**STRAFFORD**

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

**SULLIVAN**

Cloutier, John  
O'Hearne, Andrew

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Lefebvre, Benjamin  
Tanner, Linda

**NAYS 151****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Wright, Donald

Chandler, Gene  
Merrow, Harry

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Belanger, James  
Cebrowski, John  
Danielson, David  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Takesian, Charlene  
Warden, Mark

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Ulery, Jordan  
Willette, Robert

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Infantine, William  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Vaillancourt, Steve

Byron, Frank  
Daniels, Gary  
Gargas, Carolyn  
Hikel, John  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Villeneuve, Moe

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Smith, Todd

Kotowski, Frank  
Walsh, Thomas IV

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina

Allen, Mary  
Charron, Gene

Baldasaro, Alfred  
Comerford, Timothy

Bick, Patrick  
Copeland, Timothy

DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Schroadter, Adam  
Sytek, John  
Webb, James Sr

Devine, James  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Tamburello, Daniel  
Weyler, Kenneth

Duarte, Joe  
Fesh, Robert  
Grace, Curtis  
Hoelzel, Kathleen  
Kolodziej, Walter  
McMahon, Charles  
Oigny, Jeffrey  
Sanders, Elisabeth  
St.James, Kevin  
Tucker, Pamela

Dumaine, Dudley  
Garcia, Bianca  
Griffin, Mary  
Introne, Robert  
Lundgren, David  
Milz, David  
Peckham, Michele  
Sapareto, Frank  
Sweeney, Joe  
Waterhouse, Kevin

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

### SULLIVAN

Grenier, James  
and the majority committee amendment was adopted.

Osgood, Joe

Rollins, Skip

Smith, Steven

The question now being adoption of the majority committee report of Ought to Pass with Amendment.

### MOTION TO DIVIDE

Rep. William O'Brien moved to divide Section 8 from *SS HB 1-FN-A*, relative to access to health insurance coverage.

Rep. William O'Brien spoke in favor and yielded to questions.

Rep. Ulery requested a roll call; sufficiently seconded.

### YEAS 156 NAYS 197

#### YEAS 156

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Hunt, John

Johnson, Jane

Roberts, Kris

#### COOS

Rappaport, Laurence

Rideout, Leon

#### GRAFTON

Bailey, Brad  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

#### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Gargas, Carolyn  
Hikel, John

Belanger, James  
Cebrowski, John  
Danielson, David  
Graham, John  
Hinch, Richard

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn



Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Sweeney, Shawn  
Villeneuve, Moe

Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Takesian, Charlene  
Warden, Mark

LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Ulery, Jordan  
Willette, Robert

LeVasseur, Richard  
Meaney, Richard  
O'Brien, William  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Vaillancourt, Steve

### MERRIMACK

Hoell, J.R.  
Smith, Todd

Kotowski, Frank  
Walsh, Thomas IV

McGuire, Carol

McGuire, Dan

### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Copeland, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Tamburello, Daniel  
Weyler, Kenneth

Allen, Mary  
Birdsell, Regina  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
McMahon, Charles  
Oligny, Jeffrey  
Sanders, Elisabeth  
St.James, Kevin  
Tucker, Pamela

Baldasaro, Alfred  
Charron, Gene  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Peckham, Michele  
Sapareto, Frank  
Sweeney, Joe  
Waterhouse, Kevin

Belanger, Ronald  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hayes, Jack  
Itse, Daniel  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Schroadter, Adam  
Sytek, John  
Webb, James Sr

### STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

### SULLIVAN

Grenier, James

Osgood, Joe

Rollins, Skip

Smith, Steven

### NAYS 197

### BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

### CARROLL

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

### GRAFTON

Almy, Susan  
Ford, Susan

Benn, Bernard  
Friedrich, Carol

Brown, Rebecca  
Harding, Laurie

Cooney, Mary  
Lauer, Linda

Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Massimilla, Linda  
Piper, Wendy  
White, Andrew

Mulholland, Catherine  
Smith, Suzanne

Nordgren, Sharon  
Sykes, George

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gage, Ruth  
Grady, Brenda  
Harriott-Gathright, Linda  
Judy, Jean  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gale, Sylvia  
Hackel, Paul  
Heath, Mary  
Kelley, John  
Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Booras, Efsthathia  
Chandley, Shannon  
Dobson, Jeremy  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Neil, William  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

### MERRIMACK

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

Carson, Clyde  
French, Barbara  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Heffron, Frank  
Mann, Maureen  
Scarlottio, Joe  
Ward, Gerald

Borden, David  
Cushing, Robert Jr  
Helmstetter, Barbara  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Briden, Steven  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

Cahill, Michael  
Flockhart, Eileen  
Lundgren, David  
Pantelakos, Laura  
Till, Mary

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigian, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

### SULLIVAN

Cloutier, John  
O'Hearne, Andrew  
and the motion failed.

Gagnon, Raymond  
Schmidt, Andrew

Gottling, Suzanne  
Sweeney, Cynthia

Lefebvre, Benjamin  
Tanner, Linda

### MOTION TO DIVIDE

Rep. William O'Brien moved to divide Section 10 from *SS HB 1-FN-A*, relative to access to health insurance coverage.

Rep. William O'Brien spoke in favor and yielded to questions.

Rep. Gary Richardson requested a roll call; sufficiently seconded.

## YEAS 154 NAYS 200

### YEAS 154

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Sylvia, Michael

Comtois, Guy  
Flanders, Donald  
Tilton, Franklin

Cormier, Jane  
Greemore, Robert Jr  
Vadney, Herbert

Fields, Dennis  
Luther, Robert  
Worsman, Colette

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Hunt, John

Johnson, Jane

Roberts, Kris

#### COOS

Rappaport, Laurence

Rideout, Leon

#### GRAFTON

Bailey, Brad  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

#### HILLSBOROUGH

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Graham, John  
Hinch, Richard  
Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Sweeney, Shawn  
Warden, Mark

Belanger, James  
Cebrowski, John  
Danielson, David  
Haefner, Robert  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Ulery, Jordan  
Willette, Robert

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
O'Brien, William  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Vaillancourt, Steve

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hikel, John  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Villeneuve, Moe

#### MERRIMACK

Hoell, J.R.  
Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

McGuire, Dan

#### ROCKINGHAM

Abrami, Patrick  
Bick, Patrick  
Copeland, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Schroadter, Adam  
Sytek, John  
Webb, James Sr

Allen, Mary  
Birdsell, Regina  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Tamburello, Daniel  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oligny, Jeffrey  
Sanders, Elisabeth  
St.James, Kevin  
Tucker, Pamela

Belanger, Ronald  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Peckham, Michele  
Sapareto, Frank  
Sweeney, Joe  
Waterhouse, Kevin

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Osgood, Joe

Rollins, Skip

Smith, Steven

**NAYS 200****BELKNAP**

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

Huot, David

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Mann, John  
Sad, Tara  
Weed, Charles

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

Chase, Cynthia  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

Cooney, Mary  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

**HILLSBOROUGH**

Backus, Robert  
Campbell, David  
Cote, David  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Neil, William  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Walsh, Robert Jr

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeudy, Jean  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Williams, Kermit

Booras, Efstathia  
Chandley, Shannon  
Dobson, Jeremy  
Gargas, Carolyn  
Hackel, Paul  
Heath, Mary  
Kelley, John  
Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Takesian, Charlene  
Winters, Joel

Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne  
Woodbury, David

**MERRIMACK**

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
Myler, Mel

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick

Carson, Clyde  
French, Barbara  
Hunt, Jane  
MacKay, James  
Ratzki, Mario

Rice, Chip  
Schuett, Dianne  
Watrous, Rick

Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Rogers, Katherine  
Tilton, Joy

Schamberg, Thomas  
Wallner, Mary Jane

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Heffron, Frank  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Borden, David  
Cushing, Robert Jr  
Helmstetter, Barbara  
Muns, Chris  
Sherman, Thomas  
Whittemore, Lisa

Briden, Steven  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Till, Mary

Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Scarlotta, Joe  
Ward, Gerald

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

### SULLIVAN

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda  
and the motion failed.

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Kurk offered floor amendment (2434h).

### Floor Amendment (2434h)

Amend section 2 of the bill by inserting after RSA 126-A:77 the following new section:

126-A:78 Termination for Increase in Net State Costs. The New Hampshire access to health coverage program shall terminate no later than 180 days following a certification by the legislative budget assistant under RSA 14:31, VII that net state costs for the program for the most recent fiscal biennium exceeded the costs for the previous biennium by more than 12 percent. The commissioner of the department of health and human services shall notify the secretary of state, the governor, the speaker of the house of representatives, the president of the senate, and the director of legislative services of any termination of the program under this section.

Amend the bill by replacing all after section 11 with the following:

12 New Paragraph; Office of Legislative Budget Assistant; General Duties. Amend RSA 14:31 by inserting after paragraph VI the following new paragraph:

VII. Beginning July 1, 2017, the legislative budget assistant shall compare the net state costs for the New Hampshire access to health coverage program, as defined in RSA 126-A:68, XIII, for the most recent fiscal biennium with the next previous fiscal biennium. If the legislative budget assistant finds that net state costs for the most recent fiscal biennium exceeded the costs for the previous biennium by more than 12 percent, the legislative budget assistant shall certify his or her finding to the commissioner of the department of health and human services. In this section, "net state costs" means the total costs of the New Hampshire access to health coverage program minus the sum of federal funds received to pay for the program and increased state revenue attributable to the program from Medicaid premiums and the Medicaid enhancement tax.

13 Repeal. The following are repealed:

I. RSA 420-N:2, III, relative to an oversight committee.

II. RSA 420-N:3, relative to the joint health care reform oversight committee.

III. RSA 420-N:4, relative to implementation of the Act.

IV. RSA 420-N:7, I and IV, relative to prohibition on a state exchange.

V. RSA 161:11, relative to requiring the commissioner of health and human services to seek certain approval from the joint health care reform oversight committee.

VI. RSA 126-A:77, relative to the health and human services waiver advisory commission.  
14 Effective Date.

I. Paragraph VI of section 13 of this act shall take effect December 31, 2014.

II. The remainder of this act shall take effect upon its passage.

Rep. Kurk spoke in favor and yielded to questions.

Rep. Nordgren spoke against.

### **MOTION TO DIVIDE**

Rep. Hoell moved to divide Section 13 from floor amendment (2434h) and spoke in favor.

Rep. William O'Brien requested a roll call; sufficiently seconded.

### **YEAS 142 NAYS 208**

#### **YEAS 142**

##### **BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greemore, Robert Jr	Luther, Robert
Sylvia, Michael	Tilton, Franklin	Vadney, Herbert	Worsman, Colette

##### **CARROLL**

Ahlgren, Christopher	Cordelli, Glenn	Crawford, Karel	McConkey, Mark
Marrow, Harry	Nelson, Bill	Schmidt, Stephen	Umberger, Karen
Wright, Donald			

##### **CHESHIRE**

Hunt, John	Roberts, Kris
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##### **COOS**

Rappaport, Laurence	Rideout, Leon
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##### **GRAFTON**

Doolan, Ralph Jr	Gionet, Edmond	Massimilla, Linda	Reilly, Harold Sr
Shackett, Jeffrey			

##### **HILLSBOROUGH**

Beaulieu, Jane	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Coffey, James	Culbert, Patrick
Daniels, Gary	Flanagan, Jack	Gagne, Larry	Haefner, Robert
Hansen, Peter	Hikel, John	Hinch, Richard	Hopper, Gary
Kurk, Neal	Lambert, George	LeBrun, Donald	LeVasseur, Richard
Marston, Dick	Martel, Andre	McCarthy, Michael	Meaney, Richard
Murphy, Keith	Murphy, Kelleigh	Notter, Jeanine	Ober, Lynne
Ober, Russell III	Parison, James	Pellegrino, Tony	Peterson, Lenette
Pratt, Calvin	Renzullo, Andrew	Rowe, Robert	Sanborn, Laurie
Sandblade, Emily	Shaw, Barbara	Souza, Kathleen	Straight, Philip
Sweeney, Shawn	Takesian, Charlene	Ulery, Jordan	Villeneuve, Moe
Willette, Robert			

##### **MERRIMACK**

Hoell, J.R.	McGuire, Carol	McGuire, Dan	Walsh, Thomas IV
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##### **ROCKINGHAM**

Allen, Mary	Baldasaro, Alfred	Belanger, Ronald	Bick, Patrick
Birdsell, Regina	Charron, Gene	Comerford, Timothy	DeSimone, Debra
Devine, James	Duarte, Joe	Dumaine, Dudley	Elliott, Robert
Emerick, J. Tracy	Ferrante, Beverly	Fesh, Robert	Garcia, Bianca
Garcia, Marilinda	Gordon, Richard	Grace, Curtis	Griffin, Mary

Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
St.James, Kevin  
Waterhouse, Kevin

Hayes, Jack  
Itse, Daniel  
Lovejoy, Patricia  
McMahon, Charles  
Oligny, Jeffrey  
Sanders, Elisabeth  
Sytek, John  
Webb, James Sr

Hodgdon, Bruce  
Kappler, Lawrence  
Lundgren, David  
Milz, David  
Peckham, Michele  
Schroadter, Adam  
Tamburello, Daniel  
Weyler, Kenneth

Hoelzel, Kathleen  
Khan, Aboul  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Sedensky, John  
Tucker, Pamela  
Whittemore, Lisa

## STRAFFORD

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

## SULLIVAN

Osgood, Joe

Rollins, Skip

Smith, Steven

## NAYS 208

## BELKNAP

DiMartino, Lisa  
Raymond, Ian

Gulick, Ruth

Holmes, Stephen

Huot, David

## CARROLL

Buco, Thomas  
Ticehurst, Susan

Butler, Edward  
White, Syndi

Chandler, Gene

Lavender, Tom

## CHESHIRE

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnson, Jane  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

## COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

## GRAFTON

Almy, Susan  
Cooney, Mary  
Ladd, Rick Jr  
Nordgren, Sharon  
Sykes, George

Bailey, Brad  
Ford, Susan  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

## HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Eaton, Richard  
Goley, Jeffrey  
Hackel, Paul  
Heath, Mary  
Kelley, John  
Levasseur, Nicholas  
Mangipudi, Latha  
Nelson, Mary  
Porter, Marjorie  
Schmidt, Janice

Barry, Richard  
Carroll, Douglas  
Danielson, David  
Gage, Ruth  
Gorman, Mary  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman

Booras, Efstathia  
Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Brien, William  
Rokas, Ted  
Smith, Timothy

Brown, Pamela  
Connor, Evelyn  
Dobson, Jeremy  
Gargas, Carolyn  
Graham, John  
Harriott-Gathright, Linda  
Jasper, Shawn  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Neil, William  
Rosenwald, Cindy  
Soucy, Timothy

Spratt, Stephen  
Vail, Suzanne  
Winters, Joel

Stroud, Kathleen  
Vaillancourt, Steve  
Woodbury, David

Sullivan, Daniel  
Walsh, Robert Jr

Sullivan, Peter  
Williams, Kermit

### MERRIMACK

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Hunt, Jane  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Karrick, David Jr  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Carey, Lorrie  
Frazer, June  
Hess, David  
Kelly, Sally  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

Carson, Clyde  
French, Barbara  
Hirsch, Geoffrey  
Kotowski, Frank  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

### ROCKINGHAM

Abrami, Patrick  
Cahill, Michael  
Emerson-Brown, Rebecca  
Moody, Marcia  
Schlachman, Donna  
Ward, Gerald

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Flockhart, Eileen  
Muns, Chris  
Sherman, Thomas  
Wazlaw, Brian

Borden, David  
Copeland, Timothy  
Heffron, Frank  
Pantelakos, Laura  
Sweeney, Joe

Briden, Steven  
Cushing, Robert Jr  
Helmstetter, Barbara  
Scarlottio, Joe  
Till, Mary

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia  
and the motion failed.

Gagnon, Raymond  
Lefebvre, Benjamin  
Tanner, Linda

Gottling, Suzanne  
O'Hearne, Andrew

Grenier, James  
Schmidt, Andrew

The question now being adoption of floor amendment (2434h).  
Rep. William O'Brien requested a roll call; sufficiently seconded.

### YEAS 162 NAYS 191

#### YEAS 162

#### BELKNAP

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

#### CARROLL

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
White, Syndi

Cordelli, Glenn  
Nelson, Bill  
Wright, Donald

Crawford, Karel  
Schmidt, Stephen

#### CHESHIRE

Hunt, John

Johnson, Jane

#### COOS

Hammon, Marcia

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon



**GRAFTON**

Bailey, Brad  
Massimilla, Linda

Doolan, Ralph Jr  
Reilly, Harold Sr

Gionet, Edmond  
Shackett, Jeffrey

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Vaillancourt, Steve

Beaulieu, Jane  
Byron, Frank  
Daniels, Gary  
Gargas, Carolyn  
Hikel, John  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Sweeney, Shawn  
Villeneuve, Moe

Belanger, James  
Cebrowski, John  
Danielson, David  
Graham, John  
Hinch, Richard  
Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Takesian, Charlene  
Willette, Robert

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Ulery, Jordan

**MERRIMACK**

Hess, David  
McGuire, Carol

Hoell, J.R.  
McGuire, Dan

Kotowski, Frank  
Walsh, Thomas IV

Lockwood, Priscilla

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Copeland, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Schroadter, Adam  
Sytek, John  
Webb, James Sr

Allen, Mary  
Birdsell, Regina  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
Sedensky, John  
Tamburello, Daniel  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oligny, Jeffrey  
Sanders, Elisabeth  
St.James, Kevin  
Tucker, Pamela  
Whittemore, Lisa

Belanger, Ronald  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Peckham, Michele  
Sapareto, Frank  
Sweeney, Joe  
Waterhouse, Kevin

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Osgood, Joe

Rollins, Skip

Smith, Steven

**NAYS 191****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Mann, John

Berch, Paul  
Johnsen, Gladys  
Parkhurst, Henry

Butynski, William  
Lerandeau, Alfred  
Phillips, Larry

Chase, Cynthia  
Ley, Douglas  
Roberts, Kris

Robertson, Timothy  
Weber, Lucy

Sad, Tara  
Weed, Charles

Shepardson, Marjorie  
Young, Harry

Tatro, Bruce

## COOS

Coulombe, Gary  
Theberge, Robert

Enman, Larry  
Thomas, Yvonne

Hatch, William

Moynihan, Wayne

## GRAFTON

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Piper, Wendy  
White, Andrew

Benn, Bernard  
Friedrich, Carol  
Mulholland, Catherine  
Smith, Suzanne

Brown, Rebecca  
Harding, Laurie  
Nordgren, Sharon  
Sykes, George

Cooney, Mary  
Lauer, Linda  
Pastor, Beatriz  
Townsend, Charles

## HILLSBOROUGH

Backus, Robert  
Carroll, Douglas  
DiSilvestro, Linda  
Gale, Sylvia  
Hackel, Paul  
Heath, Mary  
Kelley, John  
Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Booras, Efstathia  
Chandley, Shannon  
Dobson, Jeremy  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Brien, William  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Campbell, David  
Cote, David  
Gage, Ruth  
Grady, Brenda  
Harriott-Gathright, Linda  
Jeudy, Jean  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

## MERRIMACK

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Carson, Clyde  
French, Barbara  
Hunt, Jane  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

## ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Heffron, Frank  
Moody, Marcia  
Schlachman, Donna  
Wazlaw, Brian

Borden, David  
Cushing, Robert Jr  
Helmstetter, Barbara  
Muns, Chris  
Sherman, Thomas

Briden, Steven  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Till, Mary

Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Scarlotto, Joe  
Ward, Gerald

## STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

and floor amendment (2434h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Dan McGuire offered floor amendment (2419h).

**Floor Amendment (2419h)**

Amend RSA 126-A:72, IV as inserted by section 2 of the bill by replacing it with the following:

IV. The individual premium assistance program shall not commence until such time when there are no fewer than 3 health insurance companies offering QHPs, at least one of which is a managed care organization.

Amend the bill by deleting section 8 and renumbering the original sections 9-13 to read as 8-12 respectively.

Amend the bill by replacing all after section 10 with the following:

11 Federal Health Care Reform; Reference Deletion. Amend RSA 420-N:9, III to read as follows:

III. The commissioner of health and human services may adopt rules, pursuant to RSA 541-A ~~[and subject to oversight committee approval under RSA 161:11]~~, as necessary to fulfill the purposes of this subdivision.

12 Repeal. The following are repealed:

I. RSA 420-N:2, III, relative to an oversight committee.

II. RSA 420-N:3, relative to the joint health care reform oversight committee.

III. RSA 420-N:4, relative to implementation of the Act.

IV. RSA 161:11, relative to requiring the commissioner of health and human services to seek certain approval from the joint health care reform oversight committee.

13 Effective Date. This act shall take effect upon its passage.

**AMENDED ANALYSIS**

This bill establishes the New Hampshire access to health coverage act to provide health insurance to the newly eligible population as provided under Section 1905(y) of the Social Security Act of 1935. The bill grants the commissioner of the department of health and human services rulemaking authority for the purposes of the bill.

Rep. Dan McGuire spoke in favor and yielded to questions.

Rep. Spratt spoke against and yielded to questions.

Rep. Baldasaro requested a roll call; sufficiently seconded.

**YEAS 154 NAYS 197**

**YEAS 154****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Reilly, Harold Sr

Doolan, Ralph Jr  
Shackett, Jeffrey

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Gargas, Carolyn  
Hikel, John  
Lambert, George  
Martel, Andre  
Murphy, Kelleigh  
Parison, James  
Renzullo, Andrew  
Souza, Kathleen  
Takesian, Charlene  
Willette, Robert

Belanger, James  
Cebrowski, John  
Danielson, David  
Graham, John  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Pellegrino, Tony  
Rowe, Robert  
Straight, Philip  
Ulery, Jordan

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Haefner, Robert  
Jasper, Shawn  
LeVasseur, Richard  
Meaney, Richard  
Ober, Lynne  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Vaillancourt, Steve

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hansen, Peter  
Kurk, Neal  
Marston, Dick  
Murphy, Keith  
Ober, Russell III  
Pratt, Calvin  
Sandblade, Emily  
Sweeney, Shawn  
Villeneuve, Moe

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Bick, Patrick  
Copeland, Timothy  
Elliott, Robert  
Garcia, Bianca  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
Schroadter, Adam  
Sytek, John  
Webb, James Sr

Allen, Mary  
Birdsell, Regina  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Introne, Robert  
Kolodziej, Walter  
McMahon, Charles  
Oigny, Jeffrey  
Sanders, Elisabeth  
Sedensky, John  
Tamburello, Daniel  
Weyler, Kenneth

Baldasaro, Alfred  
Charron, Gene  
Devine, James  
Ferrante, Beverly  
Gordon, Richard  
Hayes, Jack  
Itse, Daniel  
Lundgren, David  
Milz, David  
Peckham, Michele  
Sapareto, Frank  
St.James, Kevin  
Tucker, Pamela

Belanger, Ronald  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Grace, Curtis  
Hodgdon, Bruce  
Kappler, Lawrence  
Major, Norman  
Nigrello, Robert  
Priestley, Anne  
Scarlotto, Joe  
Sweeney, Joe  
Waterhouse, Kevin

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Osgood, Joe

Rollins, Skip

Smith, Steven

**NAYS 197****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Eaton, Daniel

Berch, Paul  
Johnsen, Gladys

Butynski, William  
Lerandeau, Alfred

Chase, Cynthia  
Ley, Douglas

Mann, John  
Robertson, Timothy  
Weber, Lucy

Parkhurst, Henry  
Sad, Tara  
Weed, Charles

Phillips, Larry  
Shepardson, Marjorie  
Young, Harry

Roberts, Kris  
Tatro, Bruce

### COOS

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

### GRAFTON

Almy, Susan  
Ford, Susan  
Lovett, Sid  
Pastor, Beatriz  
Townsend, Charles

Benn, Bernard  
Friedrich, Carol  
Massimilla, Linda  
Piper, Wendy  
White, Andrew

Brown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Smith, Suzanne

Cooney, Mary  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George

### HILLSBOROUGH

Backus, Robert  
Campbell, David  
Cote, David  
Gage, Ruth  
Grady, Brenda  
Harriott-Gathright, Linda  
Judy, Jean  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Neil, William  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Williams, Kermit

Beaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gale, Sylvia  
Hackel, Paul  
Heath, Mary  
Kelley, John  
Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Winters, Joel

Booras, Efstathia  
Chandley, Shannon  
Dobson, Jeremy  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Ramsey, Peter  
Schmidt, Janice  
Soucy, Timothy  
Vail, Suzanne  
Woodbury, David

Brown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Brien, William  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr

### MERRIMACK

Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Burns, Scott  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

Carson, Clyde  
French, Barbara  
Hunt, Jane  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

### ROCKINGHAM

Andrews-Ahearn, E. Elaine  
Cali-Pitts, Jacqueline  
Heffron, Frank  
Moody, Marcia  
Sherman, Thomas  
Whittemore, Lisa

Borden, David  
Cushing, Robert Jr  
Helmstetter, Barbara  
Muns, Chris  
Till, Mary

Briden, Steven  
Emerson-Brown, Rebecca  
Lovejoy, Patricia  
Pantelakos, Laura  
Ward, Gerald

Cahill, Michael  
Flockhart, Eileen  
Mann, Maureen  
Schlachman, Donna  
Wazlaw, Brian

### STRAFFORD

Baber, William  
Burke, Rachel  
Hooper, Dorothea  
Ketel, Stephen  
Pelletier, Marsha  
Schmidt, Peter  
Ward, Kenneth

Berube, Roger  
Gardner, Janice  
Horrigan, Timothy  
Malloy, Dennis  
Perry, Robert  
Spang, Judith

Bixby, Peter  
Grassie, Anne  
Hubbard, Pamela  
Menear, H. Robert III  
Rogers, Rose Marie  
Verschueren, James

Burdwood, Greg  
Grossman, Kenneth  
Kaen, Naida  
Miller, David  
Rollo, Deanna  
Wall, Janet

**SULLIVAN**

Cloutier, John  
Lefebvre, Benjamin  
Tanner, Linda  
and floor amendment (2419h) failed.

Gagnon, Raymond  
O'Hearne, Andrew

Gottling, Suzanne  
Schmidt, Andrew

Irwin, Virginia  
Sweeney, Cynthia

The House recessed at 1:05 p.m.

**RECESS**

The House reconvened at 2:05 p.m.

**(Speaker Norelli in the Chair)****REGULAR CALENDAR (CONT'D)**

The question before the House is the adoption of the majority committee report of Ought to Pass with Amendment on **SS HB 1-FN-A**, relative to access to health insurance coverage.

Rep. Carol McGuire offered floor amendment (2415h).

**Floor Amendment (2415h)**

Amend the bill by replacing all after section 8 with the following:

9 Repeal. RSA 420-N:7, I and IV, relative to prohibition on a state exchange, are repealed.

10 Effective Date. This act shall take effect upon its passage.

Rep. Carol McGuire spoke in favor and yielded to questions.

Rep. John Hunt spoke in favor.

Rep. Daniel Eaton spoke against.

Rep. Goley requested a roll call; sufficiently seconded.

**YEAS 146 NAYS 195****YEAS 146****BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Hunt, John

Johnson, Jane

Roberts, Kris

**COOS**

Rappaport, Laurence

Richardson, Herbert

Rideout, Leon

**GRAFTON**

Bailey, Brad  
Shackett, Jeffrey

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Graham, John  
Hinch, Richard  
Kurk, Neal  
Martel, Andre

Belanger, James  
Cebrowski, John  
Danielson, David  
Haefner, Robert  
Hopper, Gary  
LeBrun, Donald  
McCarthy, Michael

Boehm, Ralph  
Coffey, James  
Flanagan, Jack  
Hansen, Peter  
Infantine, William  
LeVasseur, Richard  
Meaney, Richard

Burt, John  
Culbert, Patrick  
Gagne, Larry  
Hikel, John  
Jasper, Shawn  
Marston, Dick  
Notter, Jeanine

Ober, Lynne  
 Peterson, Lenette  
 Sanborn, Laurie  
 Stroud, Kathleen  
 Vaillancourt, Steve

Ober, Russell III  
 Pratt, Calvin  
 Sandblade, Emily  
 Sweeney, Shawn  
 Villeneuve, Moe

Parison, James  
 Renzullo, Andrew  
 Souza, Kathleen  
 Takesian, Charlene  
 Willette, Robert

Pellegrino, Tony  
 Rowe, Robert  
 Straight, Philip  
 Ulery, Jordan

### MERRIMACK

Hess, David  
 McGuire, Dan

Kotowski, Frank  
 Walsh, Thomas IV

Lockwood, Priscilla

McGuire, Carol

### ROCKINGHAM

Abrami, Patrick  
 Birdsell, Regina  
 DeSimone, Debra  
 Elliott, Robert  
 Garcia, Bianca  
 Hagan, Joseph  
 Introne, Robert  
 Kolodziej, Walter  
 Nigrello, Robert  
 Priestley, Anne  
 Sedensky, John  
 Tucker, Pamela

Allen, Mary  
 Charron, Gene  
 Devine, James  
 Emerick, J. Tracy  
 Garcia, Marilinda  
 Harris, Jeffrey  
 Itse, Daniel  
 Lundgren, David  
 O'Connor, John  
 Rice, Frederick  
 Sweeney, Joe  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Comerford, Timothy  
 Duarte, Joe  
 Ferrante, Beverly  
 Gordon, Richard  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 McKinney, Betsy  
 Oigny, Jeffrey  
 Sanders, Elisabeth  
 Sytek, John  
 Webb, James Sr

Bick, Patrick  
 Copeland, Timothy  
 Dumaine, Dudley  
 Fesh, Robert  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Khan, Aboul  
 Milz, David  
 Peckham, Michele  
 Scarlotto, Joe  
 Tamburello, Daniel  
 Weyler, Kenneth

### STRAFFORD

Beaudoin, Steven  
 Mullen, John Jr

Gray, James  
 Parsons, Robbie

Groen, Warren  
 Pitre, Joseph

Jones, Laura

### SULLIVAN

Grenier, James

Osgood, Joe

Rollins, Skip

Smith, Steven

### NAYS 195

### BELKNAP

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

### CARROLL

Buco, Thomas  
 White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

### CHESHIRE

Ames, Richard  
 Eaton, Daniel  
 Mann, John  
 Sad, Tara  
 Weed, Charles

Berch, Paul  
 Johnsen, Gladys  
 Parkhurst, Henry  
 Shepardson, Marjorie  
 Young, Harry

Butynski, William  
 Lerandeau, Alfred  
 Phillips, Larry  
 Tatro, Bruce

Chase, Cynthia  
 Ley, Douglas  
 Robertson, Timothy  
 Weber, Lucy

### COOS

Coulombe, Gary  
 Moynihan, Wayne

Enman, Larry  
 Theberge, Robert

Hammon, Marcia  
 Thomas, Yvonne

Hatch, William

### GRAFTON

Almy, Susan  
 Ford, Susan  
 Lovett, Sid  
 Pastor, Beatriz  
 Townsend, Charles

Benn, Bernard  
 Friedrich, Carol  
 Massimilla, Linda  
 Piper, Wendy  
 White, Andrew

Brown, Rebecca  
 Harding, Laurie  
 Mulholland, Catherine  
 Smith, Suzanne

Cooney, Mary  
 Lauer, Linda  
 Nordgren, Sharon  
 Sykes, George

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Eaton, Richard	Gage, Ruth
Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary
Grady, Brenda	Hackel, Paul	Hammond, Jill	Hansberry, Daniel
Harriott-Gathright, Linda	Heath, Mary	Heden, Ruth	Jack, Martin
Jeudy, Jean	Kelley, John	Knowles, Mary Ann	Kopka, Angeline
Lambert, George	Leishman, Peter	Levasseur, Nickolas	Levesque, Melanie
Long, Patrick	MacKay, Mariellen	Mangipudi, Latha	Manley, Jonathan Sr
McCloskey, David	McNamara, Richard	Nelson, Mary	O'Brien, Michael Sr
O'Brien, William	O'Neil, William	Porter, Marjorie	Rhodes, Brian
Rokas, Ted	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Soucy, Timothy	Spratt, Stephen
Sullivan, Daniel	Sullivan, Peter	Vail, Suzanne	Walsh, Robert Jr
Williams, Kermit	Winters, Joel	Woodbury, David	

**MERRIMACK**

Bartlett, Christy	Burns, Scott	Carey, Lorrie	Carson, Clyde
Davis, Frank	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hoell, J.R.
Hunt, Jane	Karrick, David Jr	Kelly, Sally	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Chip	Richardson, Gary	Rogers, Katherine	Schamberg, Thomas
Schuett, Dianne	Shurtleff, Stephen	Tilton, Joy	Wallner, Mary Jane
Watrous, Rick	Webb, Leigh		

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Jr	Emerson-Brown, Rebecca
Flockhart, Eileen	Heffron, Frank	Helmstetter, Barbara	Lovejoy, Patricia
Mann, Maureen	Moody, Marcia	Muns, Chris	Pantelakos, Laura
Schlachman, Donna	Sherman, Thomas	Till, Mary	Ward, Gerald
Wazlaw, Brian	Whittemore, Lisa		

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Grassie, Anne	Grossman, Kenneth
Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Ketel, Stephen	Malloy, Dennis	Miller, David	Pelletier, Marsha
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Spang, Judith	Verschuere, James	Wall, Janet	Ward, Kenneth

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia	Tanner, Linda

and floor amendment (2415h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Hess offered floor amendment (2528h).

**Floor Amendment (2528h)**

Amend the bill by replacing all after section 11 with the following:

12 Repeal. The following are repealed:

I. RSA 420-N:4, relative to the authority of the commissioner of health and human services and the joint health care reform oversight committee relating to the implementation of the Patient Protection and Affordable Care Act.



II. RSA 126-A:77, relative to the health and human services waiver advisory commission.

13 Applicability. Sections 1-11 of this act, excluding RSA 126-A:71, I, RSA 126-A:72, II, and RSA 126-A:75 as inserted by section 2 of this act, shall take effect on the date the commissioner of the department of health and human services notifies the secretary of state, the governor, the speaker of the house of representatives, the president of the senate, and the director of legislative services that all waivers, or state plan amendments, or both which are necessary to implement the provisions of this act have been approved by the Centers for Medicare and Medicaid Services.

14 Effective Date.

I. Sections 1-11 of this act, excluding RSA 126-A:71, I, RSA 126-A:72, II, and RSA 126-A:75 as inserted by section 2 of this act, shall take effect as provided in section 13 of this act.

II. Paragraph II of section 12 of this act shall take effect December 31, 2014.

III. The remainder of this act shall take effect upon its passage.

### AMENDED ANALYSIS

This bill establishes the New Hampshire access to health coverage act to provide health insurance to the newly eligible population as provided under Section 1905(y) of the Social Security Act of 1935, deletes the prohibition on a state-based health benefit marketplace, and grants the commissioner of the department of health and human services rulemaking authority for the purposes of the bill. The bill also requires approval of all necessary waivers or state plan amendments prior to the implementation of the act.

Rep. Hess withdrew floor amendment (2528h).

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Umberger offered floor amendment (2422h).

### Floor Amendment (2422h)

Amend the bill by replacing all after section 11 with the following:

12 Repeal. The following are repealed:

I. RSA 420-N:2, III, relative to an oversight committee.

II. RSA 420-N:3, relative to the joint health care reform oversight committee.

III. RSA 420-N:4, relative to implementation of the Act.

IV. RSA 420-N:7, I and IV, relative to prohibition on a state exchange.

V. RSA 161:11, relative to requiring the commissioner of health and human services to seek certain approval from the joint health care reform oversight committee.

VI. RSA 126-A:69, IV, relative to reimbursement for the New Hampshire access to health plan.

13 Effective Date.

I. Paragraph VI of section 12 of this act shall take effect December 31, 2016.

II. The remainder of this act shall take effect upon its passage.

Rep. Umberger withdrew floor amendment (2422h).

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Dan McGuire offered floor amendment (2420h).

### Floor Amendment (2420h)

Amend RSA 126-A:72, IV as inserted by section 2 of the bill by replacing it with the following:

IV. The individual premium assistance program shall not commence until such time as there are no fewer than 2 health insurance companies offering QHPs.

Rep. Dan McGuire spoke in favor.

Rep. Sherman spoke against.

Rep. Frederick Rice requested a roll call; sufficiently seconded.

**YEAS 142 NAYS 200**

**YEAS 142**

**BELKNAP**

Burchell, Richard  
Fink, Charles  
Luther, Robert  
Worsman, Colette

Comtois, Guy  
Flanders, Donald  
Sylvia, Michael

Cormier, Jane  
Greemore, Robert Jr  
Tilton, Franklin

Fields, Dennis  
Holmes, Stephen  
Vadney, Herbert

**CARROLL**

Ahlgren, Christopher  
McConkey, Mark  
Umberger, Karen

Chandler, Gene  
Morrow, Harry  
Wright, Donald

Cordelli, Glenn  
Nelson, Bill

Crawford, Karel  
Schmidt, Stephen

**CHESHIRE**

Hunt, John

Johnson, Jane

**COOS**

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

Shackett, Jeffrey

**HILLSBOROUGH**

Barry, Richard  
Byron, Frank  
Daniels, Gary  
Graham, John  
Hinch, Richard  
LeBrun, Donald  
McCarthy, Michael  
Notter, Jeanine  
Peterson, Lenette  
Sanborn, Laurie  
Stroud, Kathleen  
Vaillancourt, Steve

Belanger, James  
Cebrowski, John  
Flanagan, Jack  
Haefner, Robert  
Infantine, William  
LeVasseur, Richard  
Meaney, Richard  
Ober, Lynne  
Pratt, Calvin  
Sandblade, Emily  
Sweeney, Shawn  
Villeneuve, Moe

Boehm, Ralph  
Coffey, James  
Gagne, Larry  
Hansen, Peter  
Jasper, Shawn  
Marston, Dick  
Murphy, Keith  
Ober, Russell III  
Renzullo, Andrew  
Souza, Kathleen  
Takesian, Charlene  
Willette, Robert

Burt, John  
Culbert, Patrick  
Gargas, Carolyn  
Hikel, John  
Kurk, Neal  
Martel, Andre  
Murphy, Kelleigh  
Parison, James  
Rowe, Robert  
Straight, Philip  
Ulery, Jordan

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
DeSimone, Debra  
Elliott, Robert  
Garcia, Bianca  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
O'Connor, John  
Rice, Frederick  
Sweeney, Joe  
Webb, James Sr

Allen, Mary  
Charron, Gene  
Devine, James  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
Oigny, Jeffrey  
Sanders, Elisabeth  
Sytek, John  
Weyler, Kenneth

Baldasaro, Alfred  
Comerford, Timothy  
Duarte, Joe  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
Milz, David  
Peckham, Michele  
Schroadter, Adam  
Tucker, Pamela

Bick, Patrick  
Copeland, Timothy  
Dumaine, Dudley  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
Nigrello, Robert  
Priestley, Anne  
Sedensky, John  
Waterhouse, Kevin

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Osgood, Joe

Rollins, Skip

Smith, Steven

**NAYS 200****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas	Butler, Edward	Lavender, Tom	Ticehurst, Susan
White, Syndi			

**CHESHIRE**

Ames, Richard	Berch, Paul	Butynski, William	Chase, Cynthia
Eaton, Daniel	Johnsen, Gladys	Lerandeau, Alfred	Ley, Douglas
Mann, John	Parkhurst, Henry	Phillips, Larry	Roberts, Kris
Robertson, Timothy	Sad, Tara	Shepardson, Marjorie	Tatro, Bruce
Weber, Lucy	Weed, Charles	Young, Harry	

**COOS**

Coulombe, Gary	Enman, Larry	Hammon, Marcia	Hatch, William
Moynihan, Wayne	Richardson, Herbert	Theberge, Robert	Thomas, Yvonne

**GRAFTON**

Almy, Susan	Bailey, Brad	Benn, Bernard	Brown, Rebecca
Cooney, Mary	Ford, Susan	Friedrich, Carol	Harding, Laurie
Lauer, Linda	Lovett, Sid	Massimilla, Linda	Mulholland, Catherine
Nordgren, Sharon	Pastor, Beatriz	Piper, Wendy	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Beaulieu, Jane	Booras, Efstathia	Brown, Pamela
Campbell, David	Carroll, Douglas	Chandley, Shannon	Connor, Evelyn
Cote, David	DiSilvestro, Linda	Dobson, Jeremy	Eaton, Richard
Gage, Ruth	Gale, Sylvia	Gidge, Kenneth	Goley, Jeffrey
Gorman, Mary	Grady, Brenda	Hackel, Paul	Hammond, Jill
Hansberry, Daniel	Harriott-Gathright, Linda	Heath, Mary	Heden, Ruth
Jack, Martin	Judy, Jean	Kelley, John	Knowles, Mary Ann
Kopka, Angeline	Lambert, George	Leishman, Peter	Levasseur, Nickolas
Levesque, Melanie	MacKay, Mariellen	Mangipudi, Latha	Manley, Jonathan Sr
McCloskey, David	McNamara, Richard	Nelson, Mary	O'Brien, Michael Sr
O'Brien, William	O'Neil, William	Porter, Marjorie	Rhodes, Brian
Rokas, Ted	Rosenwald, Cindy	Schmidt, Janice	Shattuck, Gilman
Shaw, Barbara	Smith, Timothy	Soucy, Timothy	Spratt, Stephen
Sullivan, Daniel	Sullivan, Peter	Vail, Suzanne	Walsh, Robert Jr
Williams, Kermit	Winters, Joel	Woodbury, David	

**MERRIMACK**

Bartlett, Christy	Burns, Scott	Carey, Lorrie	Carson, Clyde
Davis, Frank	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	Lockwood, Priscilla	MacKay, James
Moffett, Howard	Myler, Mel	Patten, Dick	Ratzki, Mario
Rice, Chip	Richardson, Gary	Rogers, Katherine	Schamberg, Thomas
Schuett, Dianne	Shurtleff, Stephen	Tilton, Joy	Wallner, Mary Jane
Watrous, Rick	Webb, Leigh		

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Jr	Emerson-Brown, Rebecca
Flockhart, Eileen	Heffron, Frank	Helmstetter, Barbara	Lovejoy, Patricia
Mann, Maureen	McKinney, Betsy	Moody, Marcia	Muns, Chris
Pantelakos, Laura	Scarlotto, Joe	Schlachman, Donna	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Grassie, Anne	Grossman, Kenneth
Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Ketel, Stephen	Malloy, Dennis	Miller, David	Pelletier, Marsha
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Spang, Judith	Verschueren, James	Wall, Janet	Ward, Kenneth

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia	Tanner, Linda

and floor amendment (2420h) failed.

The question now being adoption of the majority committee report of Ought to Pass with Amendment. Rep. Steven Smith offered floor amendment (2430h).

**Floor Amendment (2430h)**

Amend the title of the bill by replacing it with the following:

AN ACT relative to access to health insurance coverage and requiring an insurer participating in the health exchange to include access to at least one hospital in each county of the state.

Amend the bill by inserting after section 11 the following and renumbering the original sections 12-13 to read as 13-14, respectively:

12 New Section; Health Exchange; Access to Hospital Required. Amend RSA 420-N by inserting after section 8 the following new section:

420-N:8-a Access to Hospitals Required. An insurer participating in the exchange under this chapter shall include access for its enrolled participants to at least one hospital, licensed under RSA 151, within each county of the state.

**AMENDED ANALYSIS**

This bill establishes the New Hampshire access to health coverage act to provide health insurance to the newly eligible population as provided under Section 1905(y) of the Social Security Act of 1935, deletes the prohibition on a state-based health benefit marketplace, and grants the commissioner of the department of health and human services rulemaking authority for the purposes of the bill.

The bill also requires insurers participating in the health exchange to include access to at least one hospital in each county of the state.

Rep. Steven Smith spoke in favor and yielded to questions.

Rep. Hansen requested a roll call; not sufficiently seconded.

On a division vote, 157 members having voted in the affirmative and 184 in the negative, floor amendment (2430h) failed.

The question being adoption of the majority committee report of Ought to Pass with Amendment.

**MOTION TO LIMIT DEBATE**

Rep. Campbell moved that debate on *SS HB 1-FN-A*, relative to access to health insurance coverage, be limited to 10 minutes on each side, including questions.

Rep. Vaillancourt moved to amend the motion to 30 minutes on each side, including questions.

Rep. Kappler requested a roll call; not sufficiently seconded.

On a division vote, 83 members having voted in the affirmative and 260 in the negative, the motion to amend failed.

Rep. Vaillancourt moved to amend the motion to 20 minutes on each side, including questions.

On a division vote, 82 members having voted in the affirmative and 261 in the negative, the motion to amend failed.

Rep. Vaillancourt moved to amend the motion to exclude questions from the 10 minute time limit for each side.

On a division vote, 84 members having voted in the affirmative and 259 in the negative, the motion to amend failed.

The question now being adoption of the motion to limit debate on *SS HB 1-FN-A*, relative to access to health insurance coverage, to 10 minutes on each side, including questions.  
Rep. Sylvia requested a roll call; sufficiently seconded.

**YEAS 232 NAYS 112****YEAS 232****BELKNAP**

DiMartino, Lisa  
Luther, Robert

Fields, Dennis  
Raymond, Ian

Gulick, Ruth

Huot, David

**CARROLL**

Buco, Thomas  
Lavender, Tom  
White, Syndi

Butler, Edward  
McConkey, Mark

Cordelli, Glenn  
Merrow, Harry

Crawford, Karel  
Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
Eaton, Daniel  
Ley, Douglas  
Robertson, Timothy  
Weber, Lucy

Berch, Paul  
Johnsen, Gladys  
Mann, John  
Sad, Tara  
Weed, Charles

Butynski, William  
Johnson, Jane  
Parkhurst, Henry  
Shepardson, Marjorie  
Young, Harry

Chase, Cynthia  
Lerandeau, Alfred  
Phillips, Larry  
Tatro, Bruce

**COOS**

Coulombe, Gary  
Moynihan, Wayne

Enman, Larry  
Richardson, Herbert

Hammon, Marcia  
Theberge, Robert

Hatch, William  
Thomas, Yvonne

**GRAFTON**

Almy, Susan  
Friedrich, Carol  
Lovett, Sid  
Pastor, Beatriz  
Sykes, George

Benn, Bernard  
Harding, Laurie  
Massimilla, Linda  
Piper, Wendy  
Townsend, Charles

Cooney, Mary  
Ladd, Rick Jr  
Mulholland, Catherine  
Shackett, Jeffrey  
White, Andrew

Ford, Susan  
Lauer, Linda  
Nordgren, Sharon  
Smith, Suzanne

**HILLSBOROUGH**

Backus, Robert  
Brown, Pamela  
Chandley, Shannon  
DiSilvestro, Linda  
Gale, Sylvia  
Hackel, Paul  
Harriott-Gathright, Linda  
Jack, Martin  
Kurk, Neal  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Porter, Marjorie  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Daniel  
Williams, Kermit

Barry, Richard  
Campbell, David  
Connor, Evelyn  
Dobson, Jeremy  
Gargas, Carolyn  
Haefner, Robert  
Heath, Mary  
Kelley, John  
Leishman, Peter  
Long, Patrick  
McCarthy, Michael  
O'Brien, William  
Pratt, Calvin  
Schmidt, Janice  
Souza, Kathleen  
Takesian, Charlene  
Woodbury, David

Beaulieu, Jane  
Carroll, Douglas  
Cote, David  
Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
Levasseur, Nickolas  
MacKay, Mariellen  
McCloskey, David  
O'Neil, William  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Vail, Suzanne

Booras, Efsthathia  
Cebrowski, John  
Danielson, David  
Gage, Ruth  
Grady, Brenda  
Hansberry, Daniel  
Hinch, Richard  
Kopka, Angeline  
LeVasseur, Richard  
Mangipudi, Latha  
McNamara, Richard  
Pellegrino, Tony  
Rokas, Ted  
Shaw, Barbara  
Stroud, Kathleen  
Walsh, Robert Jr

**MERRIMACK**

Bartlett, Christy  
Davis, Frank  
Gile, Mary

Burns, Scott  
Ebel, Karen  
Henle, Paul

Carey, Lorrie  
Frazer, June  
Hirsch, Geoffrey

Carson, Clyde  
French, Barbara  
Hunt, Jane

Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, Rick

Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, Leigh

Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, Joy

MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Wallner, Mary Jane

### ROCKINGHAM

Allen, Mary  
Burtis, Elizabeth  
Cushing, Robert Jr  
Ferrante, Beverly  
Hagan, Joseph  
Kappler, Lawrence  
McKinney, Betsy  
Pantelakos, Laura  
Schlachman, Donna  
Till, Mary  
Whitemore, Lisa

Andrews-Ahearn, E. Elaine  
Cahill, Michael  
Elliott, Robert  
Fesh, Robert  
Heffron, Frank  
Lovejoy, Patricia  
Moody, Marcia  
Peckham, Michele  
Sedensky, John  
Ward, Gerald

Borden, David  
Charron, Gene  
Emerick, J. Tracy  
Flockhart, Eileen  
Helmstetter, Barbara  
Lundgren, David  
Muns, Chris  
Priestley, Anne  
Sherman, Thomas  
Wazlaw, Brian

Briden, Steven  
Copeland, Timothy  
Emerson-Brown, Rebecca  
Griffin, Mary  
Introne, Robert  
Mann, Maureen  
Oligny, Jeffrey  
Scarlottio, Joe  
Sweeney, Joe  
Weyler, Kenneth

### STRAFFORD

Baber, William  
Bixby, Peter  
Grassie, Anne  
Kaen, Naida  
Pelletier, Marsha  
Schmidt, Peter

Beaudoin, Steven  
Burdwood, Greg  
Grossman, Kenneth  
Ketel, Stephen  
Perry, Robert  
Spang, Judith

Berube, Roger  
Burke, Rachel  
Hooper, Dorothea  
Malloy, Dennis  
Rogers, Rose Marie  
Verschueren, James

Bickford, David  
Gardner, Janice  
Hubbard, Pamela  
Miller, David  
Rollo, Deanna  
Wall, Janet

### SULLIVAN

Cloutier, John  
Irwin, Virginia  
Sweeney, Cynthia

Gagnon, Raymond  
O'Hearne, Andrew  
Tanner, Linda

Gottling, Suzanne  
Osgood, Joe

Grenier, James  
Schmidt, Andrew

### NAYS 112

### BELKNAP

Burchell, Richard  
Flanders, Donald  
Tilton, Franklin

Comtois, Guy  
Greemore, Robert Jr  
Vadney, Herbert

Cormier, Jane  
Holmes, Stephen  
Worsman, Colette

Fink, Charles  
Sylvia, Michael

### CARROLL

Ahlgren, Christopher  
Umberger, Karen

Chandler, Gene  
Wright, Donald

Nelson, Bill

Schmidt, Stephen

### CHESHIRE

Hunt, John

Roberts, Kris

### COOS

Rappaport, Laurence

Rideout, Leon

### GRAFTON

Bailey, Brad

Brown, Rebecca

Doolan, Ralph Jr

Gionet, Edmond

### HILLSBOROUGH

Belanger, James  
Coffey, James  
Gidge, Kenneth  
Hikel, John  
Lambert, George

Boehm, Ralph  
Culbert, Patrick  
Gorman, Mary  
Hopper, Gary  
LeBrun, Donald

Burt, John  
Daniels, Gary  
Graham, John  
Jasper, Shawn  
Marston, Dick

Byron, Frank  
Flanagan, Jack  
Hansen, Peter  
Judy, Jean  
Martel, Andre

Meaney, Richard  
 Notter, Jeanine  
 Peterson, Lenette  
 Sandblade, Emily  
 Sweeney, Shawn  
 Willette, Robert

Murphy, Keith  
 Ober, Lynne  
 Renzullo, Andrew  
 Soucy, Timothy  
 Ulery, Jordan  
 Winters, Joel

Murphy, Kelleigh  
 Ober, Russell III  
 Rowe, Robert  
 Straight, Philip  
 Vaillancourt, Steve

Nelson, Mary  
 Parison, James  
 Sanborn, Laurie  
 Sullivan, Peter  
 Villeneuve, Moe

### MERRIMACK

Hess, David  
 McGuire, Dan

Hoell, J.R.  
 Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

### ROCKINGHAM

Abrami, Patrick  
 Cali-Pitts, Jacqueline  
 Duarte, Joe  
 Gordon, Richard  
 Itse, Daniel  
 Nigrello, Robert  
 Schroadter, Adam  
 Webb, James Sr

Baldasaro, Alfred  
 Comerford, Timothy  
 Dumaine, Dudley  
 Harris, Jeffrey  
 Khan, Aboul  
 O'Connor, John  
 Sytek, John

Bick, Patrick  
 DeSimone, Debra  
 Garcia, Bianca  
 Hodgdon, Bruce  
 Kolodziej, Walter  
 Rice, Frederick  
 Tucker, Pamela

Birdsell, Regina  
 Devine, James  
 Garcia, Marilinda  
 Hoelzel, Kathleen  
 Milz, David  
 Sanders, Elisabeth  
 Waterhouse, Kevin

### STRAFFORD

Gray, James  
 Mullen, John Jr

Groen, Warren  
 Parsons, Robbie

Horrigan, Timothy  
 Pitre, Joseph

Jones, Laura  
 Ward, Kenneth

### SULLIVAN

Rollins, Skip  
 and the motion was adopted.

Smith, Steven

The question now being adoption of the majority committee report of Ought to Pass with Amendment on **SS HB 1-FN-A**, relative to access to health insurance coverage.

Reps. Kurk, Abrami, Meaney, Burt, Marilinda Garcia and Carol McGuire spoke against.

Reps. Elliott and Rosenwald spoke in favor.

### MOTION TO LAY ON THE TABLE

Rep. Notter moved that **SS HB 1-FN-A**, relative to access to health insurance coverage, be laid on the table.

Rep. Daniel Eaton requested a roll call; sufficiently seconded.

### YEAS 139 NAYS 203

#### YEAS 139

#### BELKNAP

Burchell, Richard  
 Fink, Charles  
 Luther, Robert  
 Worsman, Colette

Comtois, Guy  
 Flanders, Donald  
 Sylvia, Michael

Cormier, Jane  
 Greemore, Robert Jr  
 Tilton, Franklin

Fields, Dennis  
 Holmes, Stephen  
 Vadney, Herbert

#### CARROLL

Ahlgren, Christopher  
 McConkey, Mark  
 Wright, Donald

Chandler, Gene  
 Merrow, Harry

Cordelli, Glenn  
 Nelson, Bill

Crawford, Karel  
 Schmidt, Stephen

#### CHESHIRE

Hunt, John

Johnson, Jane

#### COOS

Rappaport, Laurence

Rideout, Leon

**GRAFTON**

Bailey, Brad

Doolan, Ralph Jr

Gionet, Edmond

Ladd, Rick Jr

**HILLSBOROUGH**

Belanger, James  
 Cebrowski, John  
 Danielson, David  
 Hansen, Peter  
 Jasper, Shawn  
 LeVasseur, Richard  
 Meaney, Richard  
 Ober, Lynne  
 Peterson, Lenette  
 Sanborn, Laurie  
 Stroud, Kathleen  
 Vaillancourt, Steve

Boehm, Ralph  
 Coffey, James  
 Flanagan, Jack  
 Hikel, John  
 Kurk, Neal  
 Marston, Dick  
 Murphy, Keith  
 Ober, Russell III  
 Pratt, Calvin  
 Sandblade, Emily  
 Sweeney, Shawn  
 Villeneuve, Moe

Burt, John  
 Culbert, Patrick  
 Graham, John  
 Hinch, Richard  
 Lambert, George  
 Martel, Andre  
 Murphy, Kelleigh  
 Parison, James  
 Renzullo, Andrew  
 Souza, Kathleen  
 Takesian, Charlene

Byron, Frank  
 Daniels, Gary  
 Haefner, Robert  
 Hopper, Gary  
 LeBrun, Donald  
 McCarthy, Michael  
 Notter, Jeanine  
 Pellegrino, Tony  
 Rowe, Robert  
 Straight, Philip  
 Ulery, Jordan

**MERRIMACK**

Hess, David  
 McGuire, Carol

Hoell, J.R.  
 McGuire, Dan

Kotowski, Frank  
 Walsh, Thomas IV

Lockwood, Priscilla

**ROCKINGHAM**

Abrami, Patrick  
 Birdsell, Regina  
 DeSimone, Debra  
 Emerick, J. Tracy  
 Gordon, Richard  
 Hodgdon, Bruce  
 Kappler, Lawrence  
 Milz, David  
 Peckham, Michele  
 Schroadter, Adam  
 Tucker, Pamela

Allen, Mary  
 Charron, Gene  
 Devine, James  
 Fesh, Robert  
 Griffin, Mary  
 Hoelzel, Kathleen  
 Khan, Aboul  
 Nigrello, Robert  
 Priestley, Anne  
 Sedensky, John  
 Waterhouse, Kevin

Baldasaro, Alfred  
 Comerford, Timothy  
 Duarte, Joe  
 Garcia, Bianca  
 Hagan, Joseph  
 Introne, Robert  
 Kolodziej, Walter  
 O'Connor, John  
 Rice, Frederick  
 Sweeney, Joe  
 Webb, James Sr

Bick, Patrick  
 Copeland, Timothy  
 Dumaine, Dudley  
 Garcia, Marilinda  
 Harris, Jeffrey  
 Itse, Daniel  
 McKinney, Betsy  
 Oigny, Jeffrey  
 Sanders, Elisabeth  
 Sytek, John  
 Weyler, Kenneth

**STRAFFORD**

Beaudoin, Steven  
 Jones, Laura

Bickford, David  
 Mullen, John Jr

Gray, James  
 Parsons, Robbie

Groen, Warren  
 Pitre, Joseph

**SULLIVAN**

Grenier, James

Osgood, Joe

Rollins, Skip

Smith, Steven

**NAYS 203****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**

Buco, Thomas  
 Umberger, Karen

Butler, Edward  
 White, Syndi

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**

Ames, Richard  
 Eaton, Daniel  
 Mann, John  
 Robertson, Timothy  
 Weber, Lucy

Berch, Paul  
 Johnsen, Gladys  
 Parkhurst, Henry  
 Sad, Tara  
 Weed, Charles

Butynski, William  
 Lerandeau, Alfred  
 Phillips, Larry  
 Shepardson, Marjorie  
 Young, Harry

Chase, Cynthia  
 Ley, Douglas  
 Roberts, Kris  
 Tatro, Bruce

**COOS**

Coulombe, Gary  
 Moynihan, Wayne

Enman, Larry  
 Richardson, Herbert

Hammon, Marcia  
 Theberge, Robert

Hatch, William  
 Thomas, Yvonne



**GRAFTON**

Almy, Susan	Benn, Bernard	Brown, Rebecca	Cooney, Mary
Ford, Susan	Friedrich, Carol	Harding, Laurie	Lauer, Linda
Lovett, Sid	Massimilla, Linda	Mulholland, Catherine	Nordgren, Sharon
Pastor, Beatriz	Piper, Wendy	Shackett, Jeffrey	Smith, Suzanne
Sykes, George	Townsend, Charles	White, Andrew	

**HILLSBOROUGH**

Backus, Robert	Barry, Richard	Beaulieu, Jane	Booras, Efstathia
Brown, Pamela	Campbell, David	Carroll, Douglas	Chandlee, Shannon
Connor, Evelyn	Cote, David	DiSilvestro, Linda	Dobson, Jeremy
Eaton, Richard	Gage, Ruth	Gale, Sylvia	Gargas, Carolyn
Gidge, Kenneth	Goley, Jeffrey	Gorman, Mary	Grady, Brenda
Hackel, Paul	Hammond, Jill	Hansberry, Daniel	Harriott-Gathright, Linda
Heath, Mary	Heden, Ruth	Jack, Martin	Jeddy, Jean
Kelley, John	Knowles, Mary Ann	Kopka, Angeline	Leishman, Peter
Levasseur, Nickolas	Levesque, Melanie	Long, Patrick	MacKay, Mariellen
Mangipudi, Latha	Manley, Jonathan Sr	McCloskey, David	McNamara, Richard
Nelson, Mary	O'Brien, Michael Sr	O'Brien, William	O'Neil, William
Porter, Marjorie	Rhodes, Brian	Rokas, Ted	Rosenwald, Cindy
Schmidt, Janice	Shattuck, Gilman	Shaw, Barbara	Smith, Timothy
Soucy, Timothy	Spratt, Stephen	Sullivan, Daniel	Sullivan, Peter
Vail, Suzanne	Walsh, Robert Jr	Williams, Kermit	Winters, Joel
Woodbury, David			

**MERRIMACK**

Bartlett, Christy	Burns, Scott	Carey, Lorrie	Carson, Clyde
Davis, Frank	Ebel, Karen	Frazer, June	French, Barbara
Gile, Mary	Henle, Paul	Hirsch, Geoffrey	Hunt, Jane
Karrick, David Jr	Kelly, Sally	MacKay, James	Moffett, Howard
Myler, Mel	Patten, Dick	Ratzki, Mario	Rice, Chip
Richardson, Gary	Rogers, Katherine	Schamberg, Thomas	Schuett, Dianne
Shurtleff, Stephen	Tilton, Joy	Wallner, Mary Jane	Watrous, Rick
Webb, Leigh			

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Call-Pitts, Jacqueline	Cushing, Robert Jr	Elliott, Robert
Emerson-Brown, Rebecca	Ferrante, Beverly	Flockhart, Eileen	Heffron, Frank
Helmstetter, Barbara	Lovejoy, Patricia	Lundgren, David	Moody, Marcia
Muns, Chris	Pantelakos, Laura	Scarlotta, Joe	Schlachman, Donna
Sherman, Thomas	Till, Mary	Ward, Gerald	Wazlaw, Brian
Whittemore, Lisa			

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Grassie, Anne	Grossman, Kenneth
Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Ketel, Stephen	Malloy, Dennis	Miller, David	Pelletier, Marsha
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Spang, Judith	Verschueren, James	Wall, Janet	Ward, Kenneth

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia	Tanner, Linda
and the motion failed.			

The question now being adoption of the majority committee report of Ought to Pass with Amendment.  
Rep. Sherman spoke in favor.  
Rep. Shurtleff requested a roll call; sufficiently seconded.

**YEAS 198 NAYS 146****YEAS 198****BELKNAP**

DiMartino, Lisa

Gulick, Ruth

Huot, David

Raymond, Ian

**CARROLL**Buco, Thomas  
White, Syndi

Butler, Edward

Lavender, Tom

Ticehurst, Susan

**CHESHIRE**Ames, Richard  
Eaton, Daniel  
Mann, John  
Robertson, Timothy  
Weber, LucyBerch, Paul  
Johnsen, Gladys  
Parkhurst, Henry  
Sad, Tara  
Weed, CharlesButynski, William  
Lerandeau, Alfred  
Phillips, Larry  
Shepardson, Marjorie  
Young, HarryChase, Cynthia  
Ley, Douglas  
Roberts, Kris  
Tatro, Bruce**COOS**Coulombe, Gary  
Moynihan, WayneEnman, Larry  
Richardson, HerbertHammon, Marcia  
Theberge, RobertHatch, William  
Thomas, Yvonne**GRAFTON**Almy, Susan  
Ford, Susan  
Lovett, Sid  
Pastor, Beatriz  
Townsend, CharlesBenn, Bernard  
Friedrich, Carol  
Massimilla, Linda  
Piper, Wendy  
White, AndrewBrown, Rebecca  
Harding, Laurie  
Mulholland, Catherine  
Smith, SuzanneCooney, Mary  
Lauer, Linda  
Nordgren, Sharon  
Sykes, George**HILLSBOROUGH**Backus, Robert  
Campbell, David  
Cote, David  
Gage, Ruth  
Gorman, Mary  
Hansberry, Daniel  
Jack, Martin  
Kopka, Angeline  
Long, Patrick  
McCloskey, David  
O'Brien, William  
Rokas, Ted  
Shaw, Barbara  
Sullivan, Daniel  
Williams, KermitBeaulieu, Jane  
Carroll, Douglas  
DiSilvestro, Linda  
Gale, Sylvia  
Grady, Brenda  
Harriott-Gathright, Linda  
Judy, Jean  
Leishman, Peter  
MacKay, Mariellen  
McNamara, Richard  
O'Neil, William  
Rosenwald, Cindy  
Smith, Timothy  
Sullivan, Peter  
Woodbury, DavidBooras, Efsthia  
Chandley, Shannon  
Dobson, Jeremy  
Gidge, Kenneth  
Hackel, Paul  
Heath, Mary  
Kelley, John  
Levasseur, Nickolas  
Mangipudi, Latha  
Nelson, Mary  
Porter, Marjorie  
Schmidt, Janice  
Soucy, Timothy  
Vail, SuzanneBrown, Pamela  
Connor, Evelyn  
Eaton, Richard  
Goley, Jeffrey  
Hammond, Jill  
Heden, Ruth  
Knowles, Mary Ann  
Levesque, Melanie  
Manley, Jonathan Sr  
O'Brien, Michael Sr  
Rhodes, Brian  
Shattuck, Gilman  
Spratt, Stephen  
Walsh, Robert Jr**MERRIMACK**Bartlett, Christy  
Davis, Frank  
Gile, Mary  
Karrick, David Jr  
Moffett, Howard  
Rice, Chip  
Schuett, Dianne  
Watrous, RickBurns, Scott  
Ebel, Karen  
Henle, Paul  
Kelly, Sally  
Myler, Mel  
Richardson, Gary  
Shurtleff, Stephen  
Webb, LeighCarey, Lorrie  
Frazer, June  
Hirsch, Geoffrey  
Lockwood, Priscilla  
Patten, Dick  
Rogers, Katherine  
Tilton, JoyCarson, Clyde  
French, Barbara  
Hunt, Jane  
MacKay, James  
Ratzki, Mario  
Schamberg, Thomas  
Waltner, Mary Jane

**ROCKINGHAM**

Andrews-Ahearn, E. Elaine	Borden, David	Briden, Steven	Burtis, Elizabeth
Cahill, Michael	Cali-Pitts, Jacqueline	Cushing, Robert Jr	Elliott, Robert
Emerson-Brown, Rebecca	Flockhart, Eileen	Heffron, Frank	Helmstetter, Barbara
Lovejoy, Patricia	Mann, Maureen	Moody, Marcia	Muns, Chris
Pantelakos, Laura	Scarlotto, Joe	Schlachman, Donna	Sherman, Thomas
Till, Mary	Ward, Gerald	Wazlaw, Brian	Whittemore, Lisa

**STRAFFORD**

Baber, William	Berube, Roger	Bixby, Peter	Burdwood, Greg
Burke, Rachel	Gardner, Janice	Grassie, Anne	Grossman, Kenneth
Hooper, Dorothea	Horrigan, Timothy	Hubbard, Pamela	Kaen, Naida
Ketel, Stephen	Malloy, Dennis	Miller, David	Pelletier, Marsha
Perry, Robert	Rogers, Rose Marie	Rollo, Deanna	Schmidt, Peter
Spang, Judith	Verschueren, James	Wall, Janet	Ward, Kenneth

**SULLIVAN**

Cloutier, John	Gagnon, Raymond	Gottling, Suzanne	Irwin, Virginia
O'Hearne, Andrew	Schmidt, Andrew	Sweeney, Cynthia	Tanner, Linda

**NAYS 146****BELKNAP**

Burchell, Richard	Comtois, Guy	Cormier, Jane	Fields, Dennis
Fink, Charles	Flanders, Donald	Greenmore, Robert Jr	Holmes, Stephen
Luther, Robert	Sylvia, Michael	Tilton, Franklin	Whadney, Herbert
Worsman, Colette			

**CARROLL**

Ahlgren, Christopher	Chandler, Gene	Cordelli, Glenn	Crawford, Karel
McConkey, Mark	Morrow, Harry	Nelson, Bill	Schmidt, Stephen
Umberger, Karen	Wright, Donald		

**CHESHIRE**

Hunt, John	Johnson, Jane
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**COOS**

Rappaport, Laurence	Rideout, Leon
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**GRAFTON**

Bailey, Brad	Doolan, Ralph Jr	Gionet, Edmond	Ladd, Rick Jr
Shackett, Jeffrey			

**HILLSBOROUGH**

Barry, Richard	Belanger, James	Boehm, Ralph	Burt, John
Byron, Frank	Cebrowski, John	Coffey, James	Culbert, Patrick
Daniels, Gary	Danielson, David	Flanagan, Jack	Gargas, Carolyn
Graham, John	Haefner, Robert	Hansen, Peter	Hikel, John
Hinch, Richard	Hopper, Gary	Jasper, Shawn	Kurk, Neal
Lambert, George	LeBrun, Donald	LeVasseur, Richard	Marston, Dick
McCarthy, Michael	Meaney, Richard	Murphy, Keith	Murphy, Kelleigh
Notter, Jeanine	Ober, Lynne	Ober, Russell III	Parison, James
Pellegrino, Tony	Peterson, Lenette	Pratt, Calvin	Renzullo, Andrew
Rowe, Robert	Sanborn, Laurie	Sandblade, Emily	Souza, Kathleen
Straight, Philip	Stroud, Kathleen	Sweeney, Shawn	Takesian, Charlene
Ulery, Jordan	Vaillancourt, Steve	Villeneuve, Moe	Willette, Robert
Winters, Joel			

**MERRIMACK**

Hess, David  
McGuire, Dan

Hoell, J.R.  
Walsh, Thomas IV

Kotowski, Frank

McGuire, Carol

**ROCKINGHAM**

Abrami, Patrick  
Birdsell, Regina  
DeSimone, Debra  
Emerick, J. Tracy  
Garcia, Marilinda  
Harris, Jeffrey  
Itse, Daniel  
Lundgren, David  
Nigrello, Robert  
Priestley, Anne  
Sedensky, John  
Waterhouse, Kevin

Allen, Mary  
Charron, Gene  
Devine, James  
Ferrante, Beverly  
Gordon, Richard  
Hodgdon, Bruce  
Kappler, Lawrence  
McKinney, Betsy  
O'Connor, John  
Rice, Frederick  
Sweeney, Joe  
Webb, James Sr

Baldasaro, Alfred  
Comerford, Timothy  
Duarte, Joe  
Fesh, Robert  
Griffin, Mary  
Hoelzel, Kathleen  
Khan, Aboul  
McMahon, Charles  
Oligny, Jeffrey  
Sanders, Elisabeth  
Sytek, John  
Weyler, Kenneth

Bick, Patrick  
Copeland, Timothy  
Dumaine, Dudley  
Garcia, Bianca  
Hagan, Joseph  
Introne, Robert  
Kolodziej, Walter  
Milz, David  
Peckham, Michele  
Schroadter, Adam  
Tucker, Pamela

**STRAFFORD**

Beaudoin, Steven  
Jones, Laura

Bickford, David  
Mullen, John Jr

Gray, James  
Parsons, Robbie

Groen, Warren  
Pitre, Joseph

**SULLIVAN**

Grenier, James

Osgood, Joe

Rollins, Skip

Smith, Steven

and the majority committee report was adopted and ordered to third reading.

**RESOLUTION**

Rep. Shurtleff offered the following: **RESOLVED**, that the House now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of bills be by title only and resolutions by caption only and that all bills ordered to third reading be read a third time by this resolution, and that all titles of bills be the same as adopted, and that they be passed at the present time.

Adopted.

**LATE SESSION****Third reading and final passage**

**SS HB 1-FN-A**, relative to access to health insurance coverage.

**UNANIMOUS CONSENT**

Reps. Jones, Bailey, Perry, Jasper and Itse addressed the House.

**MOTION TO PRINT REMARKS**

Rep. Shurtleff moved that the remarks made by Rep. Jones be printed in the Permanent Journal.  
Adopted.

**REMARKS**

**Rep. Jones:** Thank you, Madam Speaker and thank you, Honorable colleagues. Former State Representative Al Bemis passed away on October 16<sup>th</sup> of this year at the age of 65 after a multi-year battle with cancer. He was a member of the House during the 2003-2004 term. He served on the House criminal justice and public safety committee. Public safety was a top priority for Al. With a background as a police officer and many years working in sales, he understood how important it was for law enforcement to have good relations with the public. After leaving the Legislature, he ran for police commissioner and served in that capacity for six years from 2008 until his death. I met Al at a meeting of the Rochester concerned taxpayers association back in 2009. I was impressed with his confident, outgoing, friendly personality and with his knowledge regarding law enforcement and public safety. Al was well liked by everyone and thought of others before he thought of himself. As Rochester Police Chief Allen once said, "Al had a kind and generous

heart.” Former Representative Bemis had many accomplishments during his time as a public servant. While a State Representative, he served on a study committee looking into ways to prevent prison breaks. In Rochester, he pushed for the use of Dodge chargers as police cruisers since that vehicle combines safety and fuel efficiency. The City of Rochester had acted on Al’s recommendation and had purchased three Dodge chargers at the time of his death. Al took public service very seriously. He understood that it is an honor to serve. He enjoyed responding to constituent concerns. When he was not at police commission meetings, he was listening to the police radio to keep up on what was going on. Public service is what kept him going. Even when he decided that he could not run for reelection this year because of his health, he still hoped that he would make a full recovery and planned to run again sometime in the future. May we all take to heart the outstanding example left to us by the Honorable Al Bemis, to care about others, to work hard and to understand what an honor it truly is to serve our constituents. Thank you.

### **MOMENT OF SILENCE**

A moment of silence was observed in honor and in memory of the former Representative from Rochester, the Honorable Al Bemis.

### **MOTION TO PRINT REMARKS**

Rep. Almy moved that the remarks made by Rep. Bailey be printed in the Permanent Journal. Adopted.

### **REMARKS**

**Rep. Bailey:** Thank you, Madam Speaker. Last week the State of New Hampshire and specifically the North Country lost an incredible public servant. Raymond S. Burton was raised on the family homestead in Bath. His ancestors reached back centuries in Northern New Hampshire. Ray knew early on that he wanted to help others, first as a teacher having graduated from Plymouth State College and then through political office. The first time Ray ran for the Executive Council was 1976. He won and served with Governor Thomson. He ran for reelection in 1978 and lost, but since regaining his seat in 1980, he won every election handily through last year. He worked with Governors Thomson, Gallen, Sununu, Gregg, Merrill, Shaheen, Benson, Lynch and our current Governor Hassan. He was fond of saying that the hardest job he had on the Executive Council was teaching the new Governor how to count to three. He was a grand public servant. His district stretched from the headwaters of the Connecticut River in Pittsburg down to the Lakes Region in Tilton. Ray would attend select board meetings, planning board meetings, economic development meetings, chamber dinners, senior center lunches, 4-H events, business grand openings, college functions, church suppers, graduations, baptisms, weddings, funerals and parades. No one loved parades more than Ray and no one loved the 4<sup>th</sup> of July more than Ray Burton. At the parades in Woodsville and Franconia, he relished walking down the street alongside one of his antique cars while waving to his constituents. They loved Ray. Shouting his name as he walked by, he would acknowledge them by tipping his “Burton for Certain” cap. What made Ray unique was his legendary constituent service. If you approached him with a problem, he would whip out one of his blank index cards and pen asking for more information. He said that he would get back to you and he did. If there was a snag somewhere in state government, he was the go-to guy for the North Country. He could cut through the red tape with a phone call. He could get answers when others could not. He never, ever let his constituents down. While Ray Burton was an old time Yankee Republican, he felt he represented all his constituents regardless of party. He believed that state government works best when we work together to solve our problems. He never had to raise his voice to make a point. He was not into settling scores or getting even. Tomorrow was always a new day to work on behalf of the people. It came to us as a shock that Ray was ill. We could not imagine him not being our councilor. We all held out hope that Ray would recover and continue as he had in the past. Ray kept his schedule right up to the end. About two weeks before Ray passed away, I called him to touch base on a constituent issue we were working on. He did not sound well. I asked him how he was feeling. He said that he had just received news that he could no longer fight his illness. There was nothing more the doctors could do. When I expressed concern for him, he remarked, “Hey, no regrets.” He enjoyed his life and relished being a public servant in the state he loved. To him, it was just that simple. The impact of Ray’s death is tremendous. It has hit us all very hard, but why? Because Ray was like a family member. He celebrated with us when we celebrated. He mourned

with us when we mourned. Always present, always there. A rock the North Country could lean on. We've heard it said that the road to hell is paved with good intentions. Something tells me that up North in heaven, Ray Burton has already helped secure funding to fill in some potholes, put down some new asphalt and repair a few bridges. Decades from now, people will still be telling stories to friends and family of how Ray helped them while being an Executive Councilor and Grafton County Commissioner. This is a testament to a true public servant of New Hampshire and today we mourn his passing. May Raymond S. Burton rest in peace. Thank you, Madam Speaker.

### MOMENT OF SILENCE

A moment of silence was observed in honor and in memory of the Executive Councilor from Bath, the Honorable Raymond S. Burton.

### MOTION TO PRINT REMARKS

Rep. Gary Richardson moved that the remarks made by Rep. Perry be printed in the Permanent Journal.  
Adopted.

### REMARKS

**Rep. Perry:** Thank you, Madam Speaker. Colleagues, time does not permit me to give this presentation the full measure of historical significance it deserves, but I hope it suffices. John F. Kennedy, the 35<sup>th</sup> President of the United States, was assassinated 50 years ago tomorrow, November 22, 1963. One bullet entered his back and exited his throat. Another entered his skull. We watched on television in real time his 34-year-old wife crawl across the trunk of the limousine in which they were riding, with the hope of retrieving a portion of his skull. I was a 13-year-old paperboy during the presidential election of 1960, delivering to 70 customers before getting ready for school. Caught up in the election, I was aware of his critics. He was said to be too young to be President. What could he know about the office? He was a Catholic, sure to be influenced by the Pope. He was a liberal, a communist. The Kennedy/Nixon debate of 1960 was the first time television was used for a presidential debate. Ironically, it was the first time a nation witnessed the assassination of a president on television, as it happened, in real time, being the same former Kennedy candidate. We witnessed America's most trusted news anchor, and many considered the most trusted man in America, Walter Cronkite, remove his glasses, look up at the newsroom clock, and with palpable emotion, voice quivering, announce to a horrified nation: "From Dallas, Texas, the flash apparently official, President Kennedy died at 1:00 p.m. Central Standard Time, 2:00 Eastern Standard Time, some 38 minutes ago." Shortly thereafter, the nation witnessed the murder of President Kennedy's assassin on television, as it happened, in real time. Many of us in this Hall were teenagers then, and despite the intervening 50 years, none of us can forget what we witnessed, nor what we were to endure later in the decade ... in Birmingham, high-pressure fire hoses and attack dogs used against a non-violent assembly of black men, women and children, whose only transgression was a simple demand for equal rights. Later in the decade, the assassinations of Robert F. Kennedy and Martin Luther King.

In April of 1943, having sought combat duty as a member of the United States Navy, Kennedy was given command of the Motor Torpedo boat PT 109. On August 1, 1943, his and other similar vessels were ordered to patrol and intercept Japanese warships in the Pacific near the Ferguson and Blackett Straits. In the dark of night, a Japanese destroyer traveling at 40 knots, slammed into PT 109, cutting it in half. The crew of the destroyer was unaware of the collision. It took Kennedy three hours to locate a badly burned member of the crew, Patrick Henry McMahon, and return him to a floating remnant of the vessel. Ten hours after the collision, Kennedy and ten survivors swam to an island barely visible three miles away. Kennedy had given McMahon a life jacket, and with the strap of the jacket clenched in his teeth, towed McMahon for five hours to the safety of the island, although survivors would not be rescued for more than a month. Kennedy was awarded the Navy and Marine Corps Medal of Honor for his heroics in the rescue of the crew of PT 109, as well as the Purple Heart for the injuries he sustained. In the fall of 1962, it became known to the Kennedy administration through clear photographic evidence that the Soviets had secretly placed on the Island of Cuba multiple missiles capable of being armed with nuclear warheads within days, a direct threat to the security of the United States. Despite receiving erroneous and inconsistent advice, and repeated calls by hawks to bomb the Island of Cuba during those harrowing 13 days

in October, the President instead gambled on finding an alternative to nuclear conflagration with the Russians, and found it in a secret deal made with Khrushchev, allowing the Premier to retreat from his bluster and averting mutual assured destruction. What came to be known as the Cuban Missile Crisis is acknowledged to be the closest the world has ever come to nuclear war. Following the tragic events in Birmingham, Alabama in May of 1963, President Kennedy took the bold step of transforming civil rights from a legal issue to a moral issue in his address to the nation on June 11, 1963, which I quote in part: "We are confronted primarily with a moral issue. It is as old as the scriptures and is as clear as the American Constitution. The heart of the question is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated. If an American, because his skin is dark, cannot eat lunch in a restaurant open to the public, if he cannot send his children to the best public school available, if he cannot vote for the public officials who represent him, if, in short, he cannot enjoy the full and free life which all of us want, then who among us would be content to have the color of his skin changed and stand in his place? Who among us would then be content with the counsels of patience and delay? One hundred years of delay have passed since President Lincoln freed the slaves, yet their heirs, their grandsons, are not fully free. They are not yet freed from the bonds of injustice. They are not yet freed from social and economic oppression. And this Nation, for all its hopes and all its boasts, will not be fully free until all its citizens are free." Eight days following his Civil Rights speech, President Kennedy asked Congress to enact what would become the most far-reaching civil rights law in our history. His life cut short 8 months earlier; the Civil Rights Act of 1964 was signed into law on July 2, by his successor, President Lyndon B. Johnson. Lesser-known facts about President John F. Kennedy: He authorized the "Green Beret" as the official headgear of the US Army Special Forces. The United States Navy's Sea, Air, and Land Teams, commonly known as Navy SEALs, were established by President Kennedy in 1962 as a small, elite maritime military force to conduct unconventional warfare. He established the Peace Corps in March 1961, whose volunteers 52 years later continue to help countless individuals around the world. He remains the youngest person elected president, at the age of 43 years, seven months when he took office in 1961. To John F. Kennedy, I say rest in peace, Mr. President and thank you for your service to our country on this, the 50<sup>th</sup> year following your untimely death. To those in this Honorable Hall, I thank you for listening and for your patience. Thank you.

The House recessed at 4:35 p.m.

## RECESS

The House reconvened at 4:50 p.m.

**(Speaker Norelli in the Chair)**

## SENATE MESSAGE

## NONCONCURRENCE

*SS HB 1-FN-A*, relative to access to health insurance coverage.

## MOTION TO ADJOURN

Rep. Shurtleff moved that the Special Session stand adjourned.  
Adopted.

The House adjourned at 5:05 p.m.

## CLERK'S NOTE

### OUTSTANDING BILLS

**At the time of adjournment from the 2013 session, the following bills remained laid on the table in the House:**

- HB 116**, relative to the powers of an executor or administrator to take control of a decedent's social networking websites.
- HB 344-FN-L**, relative to aid to school districts for the cost of special education.
- HB 420**, establishing orange, red, and yellow as the state colors.
- HB 576**, establishing Franklin Pierce Day.
- HB 615-FN-A**, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefor.
- HB 619-FN**, prohibiting images of a person's residence to be taken from the air.
- HB 638**, recognizing the original Thirteenth Amendment to the United States Constitution.
- HB 678-FN-A-L**, relative to games of chance and establishing a gaming oversight authority and video lottery gaming.
- HB 683-FN**, relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management.
- HCR 3**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire.
- HR 6**, commemorating the 40<sup>th</sup> anniversary of the *Roe v Wade* Supreme Court decision and affirming support for its holding and principles.
- HR 7**, urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law.
- HR 8**, affirming revenue estimates for fiscal years 2013, 2014, and 2015.

**At the time of adjournment from the 2013 session, the following bills were not signed off in Committee of Conference:**

- HB 233**, relative to the care of the war memorial in Franconia Notch state park.
- HB 265**, relative to procedures by absentee voters.
- HB 314**, raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance.
- HB 353**, relative to the regulation of private investigators and security guards.
- HB 357**, prohibiting an employer from using credit history in employment decisions.
- HB 414**, relative to privacy in the workplace.
- HB 442**, prohibiting residency restrictions for registered sex offenders and offenders against children.
- SB 19-FN**, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack.

**At the time of adjournment from the 2013 session, the following bills were retained in committee for House action in the second year of the biennium:**

- HB 110**, requiring persons who record cruelty to livestock to report such cruelty and submit such recordings to a law enforcement agency.
- HB 114**, relative to abutter access over subdivided land.
- HB 120**, relative to hours of sales by off-premises liquor licensees.
- HB 125**, requiring the reporting of certain felony offenses by postsecondary educational institutions.
- HB 149**, relative to the information on fuel invoices.
- HB 150**, relative to inspectors of election at town and school district meetings.
- HB 151**, relative to duties of inspectors of election.
- HB 158**, relative to the issuance of waivers for lot loading or setback distances in condominium conversion.
- HB 166**, requiring the public utilities commission to make specific findings as to the public need for proposed transmission lines.
- HB 169**, establishing an employers' private right of action to enforce the payment of workers' compensation coverage.
- HB 170**, relative to the definition of a gift to an elected official, public official, public employee, constitutional official, or legislative employee.



- HB 173*, repealing the authority for supplemental allowances under the judicial retirement plan.
- HB 175*, relative to New Hampshire domestic liquor and wines.
- HB 203*, relative to workers' compensation coverage for contractors on state projects and state land timber sales.
- HB 217*, imposing an extended term of imprisonment for assault against a health care provider.
- HB 222*, relative to business names registered with the secretary of state.
- HB 226*, establishing a committee to study the promotion of New Hampshire wines.
- HB 227*, relative to property and casualty insurance.
- HB 243*, relative to the board of trustees of a chartered public school.
- HB 249-FN*, requiring employers to verify an employee's eligibility to work in the United States.
- HB 250-FN-A*, relative to campaign contributions and expenditures.
- HB 255-FN*, relative to the workers' compensation law.
- HB 256-FN*, relative to funding for the fish and game search and rescue fund.
- HB 258-FN*, prohibiting the taking of deer from baited areas.
- HB 263*, establishing a committee to study examination of elderly drivers.
- HB 284-FN*, providing for collection of the E-911 surcharge from certain prepaid cellular telephones.
- HB 286*, relative to broadband infrastructure.
- HB 292-FN-A*, requiring milfoil decals on private vessels registered in other states or countries and operating on the inland waters of New Hampshire.
- HB 294*, relative to voter database information provided for preparation of jury lists.
- HB 297*, relative to the management of trust funds and capital reserve funds.
- HB 299-FN*, relative to tuition payments for chartered public school pupils.
- HB 312*, restricting the collection of biometric data by state agencies, municipalities, and political subdivisions.
- HB 319-FN*, relative to benefits for state employees serving in the armed forces.
- HB 326-FN*, relative to licensure of polysomnographers by the board of respiratory care practitioners.
- HB 329-FN*, requiring purchasers of medical equipment to be notified of the actual cost of such equipment at time of sale.
- HB 331-FN*, relative to wine manufacturers.
- HB 336-FN*, prohibiting the retail sale of certain fireworks devices.
- HB 338-FN-L*, relative to the state contribution for water pollution control.
- HB 341-FN*, relative to the cost of fiscal analysis of legislation relating to the retirement system.
- HB 343-FN*, relative to laws regarding pawnbrokers.
- HB 350*, prohibiting discrimination against the unemployed.
- HB 351*, relative to appointment of inspectors of election.
- HB 366-FN*, relative to showing a ballot.
- HB 392-FN*, relative to political contributions and expenditures and relative to reporting by political committees.
- HB 397*, relative to state aid for wastewater and public water supply projects.
- HB 404-FN*, relative to earned time credits for inmates participating in rehabilitative programming.
- HB 415*, relative to ethics requirements for members of the general court.
- HB 419-FN*, establishing a deferred retirement option in the judicial retirement plan.
- HB 421*, relative to regulation of real estate brokerage and sales by the real estate commission.
- HB 422*, relative to the adoption, revision, and amendment of municipal charters.
- HB 424-FN*, relative to review of chartered public school applications by the state board of education.
- HB 427*, relative to tobacco tax laws.
- HB 430*, requiring insurance companies sending out solicitations for marketing purposes to include their insurance license number on such solicitations.
- HB 435-FN*, relative to funding for chartered public school pupils.
- HB 437-FN*, relative to the road toll.
- HB 439-FN*, relative to weekly workers' compensation payments.
- HB 449*, relative to the application process for a certificate for an energy facility.
- HB 456-FN*, relative to liquor manufacturers.
- HB 459*, relative to poker games and charitable gaming.
- HB 461-FN*, relative to long-term care services.
- HB 462-FN*, relative to an independent review process under the medical assistance program.

- HB 465**, repealing New Hampshire's atomic energy policy.
- HB 466-FN**, relative to determining qualifications of voters.
- HB 469**, relative to time limits for regulatory boards and commissions to hold disciplinary proceedings.
- HB 473-FN**, relative to retirement system status for members of the university system police force.
- HB 474**, relative to eligibility for in-state tuition rates at the university system of New Hampshire.
- HB 476**, relative to medical care price disclosure and transparency.
- HB 480-FN**, relative to solitary confinement.
- HB 484-FN-L**, requiring public approval prior to issuance of certain site evaluation certificates.
- HB 485-FN-A**, establishing keno.
- HB 490-FN-A**, relative to the tax on tobacco products other than cigarettes and establishing a tobacco use prevention and cessation program fund.
- HB 491-FN**, relative to New Hampshire farm wineries.
- HB 492-FN-L**, relative to the legalization and regulation of marijuana.
- HB 493-FN**, relative to emergency compacts.
- HB 494**, relative to the administration of glucagon injections for pupils.
- HB 495-FN**, relative to titles for motor vehicles.
- HB 496-FN**, relative to driving privileges for certain first-time DWI offenders.
- HB 498**, permitting the use of firearms by military or veterans groups in the compact part of a town for military or veterans events, or national holidays.
- HB 523-FN**, relative to voluntary certification for road salt applicators.
- HB 525-FN**, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age.
- HB 529**, relative to the regulation of health clubs.
- HB 532**, relative to energy efficiency and clean energy districts.
- HB 533**, relative to the mathematics requirement for high school graduation.
- HB 534**, establishing a commission to study the sale of naming rights for certain structures.
- HB 540-FN-A**, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire.
- HB 544**, repealing the prohibition on a state-based health exchange.
- HB 545**, relative to rafting of boats.
- HB 548**, relative to ethics requirements and procedures for legislators and legislative employees.
- HB 562**, relative to the interest rate on title loans.
- HB 565**, relative to actions under the consumer protection law.
- HB 566**, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas.
- HB 568**, requiring new electric transmission lines in New Hampshire to be buried.
- HB 569**, relative to the placement of all new electric transmission lines in New Hampshire.
- HB 572**, establishing a commission to study public-private partnerships for the treatment of abused and neglected children.
- HB 580**, establishing moratoriums on wind turbine plants and electric transmission line projects.
- HB 582**, repealing early offers for medical injury claims.
- HB 584**, relative to covered prescription drugs.
- HB 585**, relative to insurance parity for optometrists.
- HB 586**, establishing a one-year moratorium on applications for certificates for electric transmission facilities.
- HB 587**, relative to medical examination requirements for commercial drivers' licenses.
- HB 590**, relative to the unauthorized practice of law.
- HB 592-FN**, regulating the use of electronic tracking devices.
- HB 597-FN**, relative to mandatory drug testing for certain health care workers.
- HB 600-FN**, relative to voter registration.
- HB 608**, relative to the slaughter of poultry and rabbits.
- HB 618**, relative to disclosure of annulled criminal records.
- HB 627-FN**, requiring unused vacation and sick leave to be converted to service time for purposes of calculating retirement system benefits.
- HB 645-FN**, relative to an extended term of imprisonment for persons with 2 prior convictions.
- HB 646-FN**, relative to New Hampshire correctional industries.

**HB 649-FN**, relative to earned time credits for certain prisoners participating in educational and rehabilitative programming.

**HB 650-FN-A**, making an appropriation to start a bus service between Claremont and Lebanon.

**HB 653-FN-A**, relative to funding law enforcement prosecution of Internet crimes against children.

**HB 654-FN**, relative to licensure and renewal fees.

**HB 657-FN**, requiring state agencies to submit efficiency expenditure requests as part of the biennial budget process.

**HB 658-FN**, relative to registration for medical technicians.

**HB 660-FN**, requiring the labeling of genetically engineered foods and agricultural commodities.

**HB 663-FN**, relative to appeals within the department of environmental services.

**HB 666-FN**, relative to penalties for speeding offenses.

**HB 671-FN**, restoring state payment of fees for attorneys in child abuse and neglect cases where the parents are indigent.

**HB 672-FN**, relative to the property tax exemption for water and air pollution control facilities.

**HB 674-FN-L**, relative to state highway aid.

**HB 675-FN**, authorizing and regulating the use of license plate scanning devices.

**HB 677-FN**, relative to the certificate of need board.

**HB 682-FN**, relative to credit card fees.

**HB 684**, relative to bridge replacement and bridge aid funds.

**HB 685**, relative to state agency communications under the right-to-know law.

**SB 3-FN**, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack.

**SB 15**, naming a portion of route 101 after the 101st Airborne Division Screaming Eagles.

**SB 29**, relative to the motorist service signing program.

**SB 82**, establishing a commission to identify strategies needed for developing and implementing a competency-based public education system.

**SB 88**, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces.

**SB 92**, prohibiting multiple prescription drug failures.

**SB 116-FN**, relative to the licensure of liquefied propane installation and service technicians.

**SB 169**, relative to non-covered services under dental insurance plans.

**SB 180**, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

**SB 190-FN**, relative to admission fees for certain persons at state parks and historical sites.

**SB 196-FN**, relative to the definition of push-polling.

**CACR 5**, relating to bribery and corruption. Providing that no person incarcerated for a crime, under a conditional release from incarceration, completing an order of restitution for a crime, nor any person who has been convicted of intentional murder shall hold any office of trust in the New Hampshire government.

**At the time of adjournment from the 2013 session, the following House bills remained in Senate Committees:**

**HB 118**, providing immunity from criminal prosecution for seeking medical assistance with an emergency drug or alcohol overdose event.

**HB 153**, prohibiting the designation of industrial hemp as a controlled substance.

**HB 186**, relative to the authority of the department of state.

**HB 200**, relative to an employer's burden of proof in unemployment compensation hearings.

**HB 230**, relative to administrative supervision of insurers.

**HB 234**, relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training.

**HB 346**, establishing a committee to study low-profit limited liability companies.

**HB 426**, relative to payment of costs and fees in guardianship cases.

**HB 489-FN**, relative to the New Hampshire medical malpractice joint underwriting association.

**HB 583**, relative to proceedings of medical injury claims screening panels.

**HB 591**, relative to an abusive work environment and the health and safety of public employees.

**HB 624**, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire.

**CHAPTERED STUDY COMMITTEES REPEALED**

**COMMISSION TO DETERMINE THE APPROPRIATE USE OF THE PROPERTY DESTROYED IN THE OCTOBER 2005 FLOODS** (HB 1767, Chapter 256:4, Laws of 2006). Repealed by SB 57, Chapter 7:4, Laws of 2013.

**STATUTORY COMMITTEES AMENDED**

**ASSESSING STANDARDS BOARD** (RSA 21-J:14-a). Duties amended by HB 147, Chapter 18, Laws of 2013. HB 181, Chapter 20:2, Laws of 2013 added duties of the repealed Equalization Standards Board. Membership amended by HB 182, Chapter 21:1, Laws of 2013.

**COMMISSION TO STUDY THE EFFECTS OF SERVICE-CONNECTED POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY SUFFERED IN THE LINE OF DUTY BY MEMBERS OF THE ARMED FORCES AND VETERANS** (RSA 115-D:1). SB 90, Chapter 229:7, Laws of 2013 extended final report date and repeals commission November 1, 2014.

**COMMITTEE TO STUDY WATER INFRASTRUCTURE SUSTAINABILITY FUNDING** (SB 60, Chapter 245:1, Laws of 2009). Final report date extended to November 1, 2013 by HB 588, Chapter 241:6, Laws of 2013.

**COUNCIL FOR CHILDREN AND ADOLESCENTS WITH CHRONIC HEALTH CONDITIONS** (RSA 126-J). Amended by SB 171, Chapter 113:1, Laws of 2013 changing name to Council for Youths With Chronic Conditions and adding one member.

**GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT** (RSA 12-J:1). Membership amended by HB 232, Chapter 84:1, Laws of 2013.

**HISTORICAL COMMITTEE** (RSA 17-I). Amended by SB 155, Chapter 184, Laws of 2013.

**IMPACT OF WATER WITHDRAWALS ON INSTREAM FLOWS STUDY COMMITTEE** (SB 330, Chapter 242:1, Laws of 2000). Final report date extended to December 15, 2015 by HB 588, Chapter 241:3, Laws of 2013.

**LEGISLATOR ORIENTATION** (RSA 17-C:2). Amended by HB 140, Chapter 171:1, Laws of 2013.

**LONG-RANGE CAPITAL PLANNING AND UTILIZATION** (RSA 17-M). HB 221, Chapter 83:1, Laws of 2013 repeals RSA 17-M:2, I(b), study and report on master plan for New Hampshire hospital campus.

**MCAULIFFE-SHEPARD DISCOVERY CENTER BOARD** (RSA 12-L:14). Amended by HB 2, Chapter 144:103, Laws of 2013, which repeals part II, the business plan.

**NATIONAL GUARD SCHOLARSHIP FUND COMMITTEE** (RSA 110-B:62). Amended by HB 524, Chapter 255:4, Laws of 2013.

**OIL FUND DISBURSEMENT** (RSA 146-D:4). Duties amended by HB 184, Chapter 37:3, Laws of 2013.

**TELECOMMUNICATIONS PLANNING AND DEVELOPMENT ADVISORY COMMITTEE** (RSA 12-A:46). Repealed and reenacted by HB 368, Chapter 29:2, Laws of 2013. New members added.

**STATUTORY COMMITTEES REPEALED**

**EQUALIZATION STANDARDS BOARD** (RSA 21-J:14-c). Repealed by HB 181, Chapter 20:1, Laws of 2013.

**COMMITTEES created by 2013 chapters**

**HB 25 (Chapter 195:45, Laws of 2013) - COMMISSION TO OVERSEE THE CONSTRUCTION OF THE ISLE OF SHOALS 400<sup>TH</sup> ANNIVERSARY MEMORIAL**

Reps. David B. Campbell and J. Tracy Emerick, appointed by the Speaker of the House of Representatives. Sens. Nancy Stiles and Martha Fuller Clark, appointed by the President of the Senate.

**HB 262 (Chapter 120:1, Laws of 2013) - COMMITTEE TO STUDY THE CONSTRUCTION OF A PERMANENT MEMORIAL TO GOVERNOR JOHN GILBERT WINANT ON STATE PROPERTY OTHER THAN STATE HOUSE GROUNDS**

Reps. Stephen J. Shurtleff, Chip L. Rice and Peter E. Ramsey, appointed by the Speaker of the House of Representatives.

Sen. Lou D'Allesandro, appointed by the President of the Senate.

**HB 283 (Chapter 208:1, Laws of 2013) - COMMITTEE TO REVIEW THE HEARING OFFICER'S REPORT WITH REGARD TO THE NEW HAMPSHIRE LOCAL GOVERNMENT CENTER**

Reps. Chris Muns, Daniel J. Sullivan, Marjorie K. Smith and David J. Danielson, appointed by the Speaker of the House of Representatives.

Sen. Jeanie Forrester, appointed by the President of the Senate.

**HB 305 (Chapter 103:1, Laws of 2013) - COMMITTEE TO STUDY THE APPORTIONMENT FORMULA FOR COOPERATIVE SCHOOL DISTRICTS FOR TOWNS WITH ELECTRIC GENERATING FACILITIES**

Reps. Marjorie A. Porter, Gilman C. Shattuck, Steven D. Smith, Bruce L. Tatro and James L. Grenier, appointed by the Speaker of the House of Representatives.

**HB 339 (Chapter 28:1, Laws of 2013) - COMMITTEE TO STUDY EXISTING DEBT COLLECTION LAWS AND PRACTICES**

Reps. Chip L. Rice, Catherine Mulholland, Edward A. Butler and David A. Bickford, appointed by the Speaker of the House of Representatives.

Sen. Andy Sanborn, appointed by the President of the Senate.

**HB 391 (Chapter 122:1, Laws of 2013) - COMMITTEE TO STUDY OPTIONS FOR MITIGATION OF DAMAGES ASSOCIATED WITH HIGHWAY NOISE**

Reps. Laura Pantelakos, George E. Sykes, Keith R. Murphy, Kevin K. Waterhouse and Maureen R. Mann, appointed by the Speaker of the House of Representatives.

**HB 418 (Chapter 44:1, Laws of 2013) - COMMITTEE TO STUDY A PROGRAM TO ADDRESS CHILDREN IN NEED**

Reps. Mary Beth Walz, Patrick T. Long, Deanna S. Rollo, Daniel C. Itse and Dudley D. Dumaine, appointed by the Speaker of the House of Representatives.

Sen. Martha Fuller Clark, appointed by the President of the Senate.

**HB 516 (Chapter 51:1, Laws of 2013) - COMMITTEE TO STUDY THE OVERLAP OF FEDERAL, STATE, AND LOCAL REGULATION OF ENVIRONMENTAL ISSUES**

Reps. Nickolas J. Levasseur, Suzanne H. Gottling, Andrew Renzullo, John W. Cebrowski and Lisa I. Whittemore, appointed by the Speaker of the House of Representatives.

Sen. Jeb Bradley, appointed by the President of the Senate.

**HB 521 (Chapter 220, Laws of 2013) - COMMITTEE TO STUDY NEW HAMPSHIRE ELECTION LAWS AND PROCEDURES**

Reps. David E. Cote, Mary Ann Knowles, Evelyn M. Connor and Kathleen M. Hoelzel, appointed by the Speaker of the House of Representatives.

Sen. Nancy F. Stiles, appointed by the President of the Senate.

**HB 542 (Chapter 279:10, Laws of 2013) - RENEWABLE PORTFOLIO STANDARDS STUDY COMMITTEE**

Reps. Ian P. Raymond, Kenneth Grossman and James E. Devine, appointed by the Speaker of the House of Representatives.

Sens. Jeb Bradley and Jeff Woodburn, appointed by the President of the Senate.

**HB 556 (Chapter 112:1, Laws of 2013) - COMMITTEE TO STUDY THE RESOLUTION OF BARRIERS TO THE USE OF TELEHEALTH TECHNOLOGY IN NEW HAMPSHIRE**

Reps. James R. MacKay, Susan M. Ford, Barbara S. Helmstetter, E. Elaine Andrews-Ahearn and Bill G. Nelson, appointed by the Speaker of the House of Representatives.

Sen. Bette Lasky, appointed by the President of the Senate.

**SB 67 (Chapter 128:1, Laws of 2013) - COMMITTEE TO EXAMINE THE ISSUE OF STATUTORY AUTHORITY FOR ALL TERRAIN VEHICLES, OFF HIGHWAY RECREATIONAL VEHICLES, AND LOW SPEED UTILITY VEHICLES TO ACCESS PUBLIC HIGHWAYS FOR FOOD, FUEL, AND LODGING**

Sen. Jeff Woodburn, appointed by the President of the Senate.

Reps. Suzanne J. Smith, David B. Karrick and Jack B. Flanagan, appointed by the Speaker of the House of Representatives.

**SB 71 (Chapter 161:1, Laws of 2013) - COMMITTEE TO STUDY THE USE AND MISUSE OF PRESCRIPTION DRUGS IN WORKERS' COMPENSATION CASES**

Sen. Lou D'Allesandro, appointed by the President of the Senate.

Reps. Andrew A. White, Lisa A. DiMartino and Mariellen J. MacKay, appointed by the Speaker of the House of Representatives.

**SB 90 (Chapter 229:1, Laws of 2013) - COMMITTEE TO STUDY DEVELOPING A POLICY FOR VETERAN PREFERENCE IN GOVERNMENT HIRING**

Sens. Sharon Carson, Sam Cataldo and Lou D'Allesandro, appointed by the President of the Senate.

Reps. Linda D. Lauer, Dick Marston and Rick M. Ladd, appointed by the Speaker of the House of Representatives.

**SB 117 (Chapter 182:1, Laws of 2013) - COMMITTEE TO STUDY THE REGULATION OF PHARMACY BENEFITS MANAGERS**

Sen. Donna Soucy, appointed by the President of the Senate.

Reps. Donna L. Schlachman, Kermit R. Williams and Laura M. Jones, appointed by the Speaker of the House of Representatives.

**SB 192 (Chapter 133:1, Laws of 2013) - COMMITTEE TO STUDY THE ESTABLISHMENT OF A STATE INFRASTRUCTURE BANK**

Sens. Sharon Carson, Jim Rausch and Chuck Morse, appointed by the President of the Senate.

Reps. Susan M. Ford, Peter R. Leishman and Karen C. Umberger, appointed by the Speaker of the House of Representatives.

**2013 STATUTORY COMMITTEES**

**RSA 4-E:2 (established by SB 191, Chapter 276:3, Laws of 2013) - NEW HAMPSHIRE STATE ENERGY ADVISORY COUNCIL**

Sen. Bob Odell, appointed by the President of the Senate.

Sen. Martha Fuller Clark, appointed by the Senate Minority Leader.

Rep. Charles L. Townsend, appointed by the Speaker of the House of Representatives.

Rep. Herbert R. Vadney, appointed by the House Minority Leader.

Rep. Beatriz Pastor, appointed jointly by the Speaker of the House and the House Minority Leader.

**RSA 14-B:11 (established by HB 410, Chapter 211:1, Laws of 2013) - COMMISSION TO STUDY AND UPDATE THE RULES AND PROCEDURES OF THE LEGISLATIVE ETHICS COMMITTEE**

Reps. Gary B. Richardson, Shawn N. Jasper, Katherine D. Rogers and John A. Graham, appointed by the Speaker of the House.

Sens. Jim Rausch and Martha Fuller Clark, appointed by the President of the Senate.

**RSA 19-M (established by HB 602, Chapter 217, Laws of 2013) - COMMISSION TO STUDY GENERAL COURT POLICIES AND PROCEDURES RELATED TO PERSONS WITH DISABILITIES**

Reps. Daniel A. Eaton, Susan Emerson and Robert H. Haefner, appointed by the Speaker of the House of Representatives.

Sen. Russell Prescott, appointed by the President of the Senate.

**RSA 19-N (established by SB 185, Chapter 233:2, Laws of 2013) - COMMISSION ON HOUSING POLICY AND REGULATION**

Sens. Bob Odell and David Watters, appointed by the President of the Senate.

Reps. Edward A. Butler and James L. Grenier, appointed by the Speaker of the House of Representatives.

**RSA 84-A:13 (established by HB 2, Chapter 144:53, Laws of 2013) - MEDICAID ENHANCEMENT TAX STUDY COMMISSION**

Reps. Mary Jane Wallner, Susan W. Almy and Norman L. Major, appointed by the Speaker of the House of Representatives.

Sens. Chuck Morse, Bob Odell and Lou D'Allesandro appointed by the President of the Senate.

**RSA 126-A:66 (established by HB 2, Chapter 144:129, Laws of 2013) - COMMISSION TO STUDY EXPANSION OF MEDICAID ELIGIBILITY**

Reps. Cindy Rosenwald, Thomas M. Sherman and Neal M. Kurk, appointed by the Speaker of the House of Representatives.

Sens. Nancy F. Stiles and Andy Sanborn, appointed by the President of the Senate.

Sen. Peggy Gilmour appointed by the Senate Minority Leader.

**RSA 126-W:1 (established by SB 17, Chapter 225:1, Laws of 2013) - COMMISSION TO STUDY PALLIATIVE CARE AND ASSOCIATED QUALITY OF LIFE INITIATIVES**

Sen. John Reagan, appointed by the President of the Senate.

Reps. Laurie Harding, Suzanne J. Smith and Frank R. Kotowski, appointed by the Speaker of the House of Representatives.

**RSA 126-X:9 (established by HB 573, Chapter 242:1, Laws of 2013) - THERAPEUTIC USE OF CANNABIS ADVISORY COUNCIL**

Reps. James R. MacKay and Donald S. Wright, appointed by the Speaker of the House of Representatives.

Sen. Jeff Woodburn, appointed by the President of the Senate.

**RSA 151-E:19 (established by HB 2, Chapter 144:132, Laws of 2013) - COMMISSION ON MEDICAID LONG-TERM CARE FINANCING AND COSTS**

Reps. Stephen P. Spratt, James R. MacKay and Greg Burdwood, appointed by the Speaker of the House of Representatives.

Sen. Bob Odell (Finance), appointed by the President of the Senate.

**RSA 205:4-d (established by SB 57, Chapter 7:2, Laws of 2013) - COMMISSION TO DETERMINE APPROPRIATE PUBLIC USE FOR FLOOD-DAMAGED PROPERTY**

Sen. Molly M. Kelly, appointed by the President of the Senate.

Rep. John E. Mann, appointed by the Speaker of the House of Representatives.

**RSA 206:1-a (established by HB 588, Chapter 241:7, Laws of 2013) - COMMISSION TO STUDY OPPORTUNITIES AND OPTIONS TO IMPROVE THE SUSTAINABILITY OF THE FISH AND GAME DEPARTMENT**

Reps. Benjamin P. Lefebvre and David H. Kidder, appointed by the Speaker of the House of Representatives.

Sens. Bob Odell and Jeff Woodburn, appointed by the President of the Senate.

**RSA 276-B:2, I (membership repealed and re-enacted by HB 551, Chapter 111:1, Laws of 2013) - TASK FORCE ON WORK AND FAMILY**

Reps. Mary Stuart Gile and Carolyn M. Gargasz, appointed by the Speaker of the House of Representatives.

Sen. Martha Fuller Clark, appointed by the President of the Senate.

**RSA 284-A:1 (established by HB 2, Chapter 144:145, Laws of 2013) - GAMING REGULATORY OVERSIGHT AUTHORITY**

Rep. Lucy M. Weber, appointed by the Speaker of the House of Representatives.

Sen. Jim Rausch, appointed by the President of the Senate.

**RSA 322:14 (established by SB 104, Chapter 101:1, Laws of 2013) - COMMISSION TO STUDY COMMODITIES REPORTING**

Sen. David Pierce, appointed by the President of the Senate.

Reps. Clyde J. Carson, Jill S. Hammond and Dennis H. Fields, appointed by the Speaker of the House.

**RSA 436:92-a (established by HB 547, Chapter 99:1, Laws of 2013) - COMMISSION TO STUDY PERMANENT OPTIONS FOR FUNDING THE VETERINARY DIAGNOSTIC LABORATORY**

Reps. Janice S. Gardner, Raymond G. Gagnon and Robert H. Haefner, appointed by the Speaker of the House of Representatives.

Sen. Jim Rausch, appointed by the President of the Senate.

**RSA 483-E:1 (established by SB 163, Chapter 188:1, Laws of 2013) - COASTAL RISK AND HAZARDS COMMISSION**

Sen. David Watters and Nancy Stiles, appointed by the President of the Senate.

Reps. Chris Muns and Frederick C. Rice, appointed by the Speaker of the House of Representatives.



**RESIGNATIONS, DEATHS, SPECIAL ELECTIONS****RESIGNED**

02/14/2013	Hills 35	LaPlante, Roland H., d.
02/15/2013	Sull 04	Donovan, Jr., Thomas E., d.
03/28/2013	Hills 14	Garrity, Patrick F., d.
06/20/2013	Rock 04	Tremblay, Stella, r.
09/17/2013	Straf 06	Ginsburg, Philip E., d.
12/05/2013	Rock 06	Thompson, David H., r.

**DECLARED VACANCIES**

11/29/2012	Hills 31*
12/05/2012	Hills 09*
02/14/2013	Hills 35*
02/15/2013	Sull 04*
03/28/2013	Hills 14*
06/20/2013	Rock 04
09/17/2013	Straf 06
12/05/2013	Rock 06

**SPECIAL ELECTIONS**

03/06/2013	Hills 31	Brown, Pamela T., d
04/03/2013	Hills 09	O'Neil, William J., d
06/19/2013	Sull 04	Osgood, Joe, r
10/02/2013	Hills 14	Heath, Mary, d
11/13/2013	Hills 35	Mangipudi, Latha, d

**PARTY BREAKDOWN ON THE 400 SEATS**

Republicans:	178 R	0 R&D	=	178
Democrats:	218 D	1 D&R	=	219
Currently elected and qualified:			=	397
Vacancies: Resignations 8, Special Elections 5, Deceased 0			=	003
Total Seats:			=	400
Men: 269, Women: 128				

**TABLE OF REFERENCES  
FROM CHAPTER OF 2013 LAWS TO BILL NUMBERS**

<b>Chapter</b>	<b>Bill Number</b>	<b>Chapter</b>	<b>Bill Number</b>	<b>Chapter</b>	<b>Bill Number</b>
1	HB 101	53	HB 519	105	HB 334-FN
2	SB 39-FN-A	54	HB 535	106	HB 352
3	SB 115	55	HB 558	107	HB 367
4	SB 40-FN-L	56	HB 560	108	HB 400
5	SB 1-FN-A	57	SB 28	109	SB 111
6	SB 199	58	SB 2	110	HB 401
7	SB 57	59	SB 34	111	HB 551
8	SB 74	60	SB 52	112	HB 556
9	HB 126-L	61	SB 60	113	SB 171
10	HB 157	62	SB 69	114	HB 115
11	HB 236	63	SB 81	115	HB 134
12	HB 486-FN-A	64	SB 93	116	HB 138
13	HB 208	65	SB 105	117	HB 139
14	HB 309	66	SB 106	118	HB 155
15	HB 194	67	SB 107	119	HB 235
16	HB 543	68	SB 127-FN	120	HB 262
17	HB 111	69	SB 139-FN-L	121	HB 313
18	HB 147-FN	70	HB 506	122	HB 391-FN
19	HB 180	71	HB 598	123	HB 450-FN
20	HB 181	72	HB 639	124	HB 522
21	HB 182	73	HB 676-FN-A-L	125	SB 13
22	HB 190	74	SB 166	126	SB 21
23	HB 202-FN	75	HB 383	127	SB 22
24	HB 206	76	SB 12	128	SB 67
25	HB 237	77	SB 62	129	SB 122-FN
26	HB 267	78	SB 80	130	SB 126-FN
27	HB 293	79	SB 83	131	SB 147-FN
28	HB 339-FN	80	SB 24	132	SB 165
29	HB 368	81	SB 25	133	SB 192-FN-L
30	HB 372	82	SB 175	134	SB 99
31	HB 376	83	HB 221	135	HB 174
32	HB 574	84	HB 232	136	HB 177
33	SB 18	85	HB 432-FN	137	HB 193
34	HB 349	86	HB 607	138	HB 196
35	HB 488-FN	87	HB 211	139	HB 254-FN-A
36	HB 178-FN-L	88	HB 652-FN	140	HB 636
37	HB 184-FN	89	HB 648-FN	141	HB 655-FN
38	HB 328-FN	90	SB 30	142	SB 41
39	HB 359	91	SB 64	143	HB 1-A
40	HB 374	92	SB 194-FN	144	HB 2-FN-A-L
41	HB 375	93	SB 50	145	HB 185-FN
42	HB 393	94	SB 58	146	HB 195
43	HB 416	95	SB 95	147	HB 204-FN-L
44	HB 418	96	SB 131-FN-L	148	HB 304-FN
45	HB 428	97	SB 172-FN-L	149	HB 411-FN-A
46	HB 429	98	SB 42	150	HB 453
47	HB 440	99	HB 547	151	HB 507-FN
48	HB 482-FN	100	SB 84	152	HB 511-FN
49	HB 509	101	SB 104	153	HB 513
50	HB 510	102	HB 163	154	HB 554
51	HB 516	103	HB 305	155	HB 581-FN-L
52	HB 517	104	HB 327-FN	156	HB 644-FN

<b>Chapter</b>	<b>Bill Number</b>	<b>Chapter</b>	<b>Bill Number</b>	<b>Chapter</b>	<b>Bill Number</b>
157	HB 686	198	HB 433	239	HB 629-FN
158	SB 31	199	HB 477-FN	240	HB 630-FN
159	SB 38	200	HB 526-FN	241	HB 588
160	SB 68	201	HB 528	242	HB 573-FN
161	SB 71	202	HB 634	243	HB 142
162	SB 108	203	SB 43	244	HB 187
163	SB 133-FN	204	SB 187	245	HB 220
164	SB 134-FN	205	HB 229-FN	246	HB 242
165	HB 160	206	HB 246	247	HB 252-FN
166	SB 14	207	HB 278	248	HB 253
167	SB 138-FN	208	HB 283	249	HB 260-FN
168	HB 112-FN	209	HB 308	250	HB 295
169	HB 123	210	HB 361	251	HB 342-FN
170	HB 137	211	HB 410	252	HB 385
171	HB 140	212	HB 481-FN	253	HB 472
172	HB 156	213	HB 575	254	HB 518
173	HB 216	214	SB 11-L	255	HB 524
174	HB 225	215	SB 97	256	HB 546
175	HB 261-FN	216	SB 173	257	HB 594-FN
176	HB 282	217	HB 602	258	HB 599-FN
177	SB 33	218	SB 143-FN	259	HB 635
178	SB 47	219	SB 20	260	HB 664-FN
179	SB 49	220	HB 521	261	SB 35
180	SB 85	221	HB 640	262	SB 45
181	SB 96	222	SB 44	263	SB 48
182	SB 117-FN	223	SB 161	264	SB 75
183	SB 146-FN-L	224	SB 170	265	SB 87
184	SB 155-FN-A	225	SB 17	266	SB 98
185	SB 159	226	SB 27	267	SB 101
186	SB 160-FN-A	227	SB 54	268	SB 119-FN-A
187	SB 162-FN	228	SB 76	269	SB 123-FN-L
188	SB 163	229	SB 90	270	SB 124-FN
189	SB 164	230	SB 94	271	SB 135-FN
190	SB 184-FN	231	SB 112	272	SB 148-FN
191	SB 197	232	SB 179	273	SB 157-FN
192	HB 146	233	SB 185	274	SB 188-FN
193	SB 89	234	HB 228	275	SB 189-FN
194	SB 198	235	HB 231	276	SB 191-FN-A
195	HB 25-FN-A	236	HB 306	277	HB 224
196	HB 124-FN	237	HB 413	278	HB 595-FN
197	HB 269-L	238	HB 559	279	HB 542

**2013**  
**HOUSE JOURNAL**  
**NUMERICAL INDEX**

This index, arranged by bill and resolution numbers, gives page numbers for all action in the House on each numbered bill and resolution. They are listed in the following order:

HB	House Bill
HCO	House Concurrent Order
HCR	House Concurrent Resolution
HJR	House Joint Resolution
HR	House Resolution
SB	Senate Bill
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
CACR	Constitutional Amendment Concurrent Resolution

To find a bill by its subject see the Subject Index immediately following this NUMERICAL Index. All matters not relating to bills and resolutions will be found in the Subject Index.

The abbreviations listed below are used in the Numerical Index:

adop	adopted
am	amended, amendment
Com	re-referred to committee
conc	concurred, concurrence
conf	conference committee
Criminal Justice	referred to the committee on Criminal Justice and Public Safety
enr	enrolled
Finance	referred to the committee on Finance
intro	introduced, introduction
IP	indefinitely postponed
K	killed (Inexpedient to Legislate)
LT	laid on the table
nonconc	nonconcurred
opin	opinion
psd	passed
RC	roll call
rcmt	recommitted
recon	reconsideration, reconsidered
rej	rejected
rem	removed from the consent calendar
rep	report
req	requests, requested
ret	retained
S	Senate
SO	special order
study	referred to interim study committee
vac	vacate
Ways and Means	referred to the committee on Ways and Means
wthd	withdrawn

**2013 SESSION****HOUSE BILLS**

- HB 1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015. (Wallner, Merr 10: Finance)  
216, am 601-602, LT rej (RC) 602-605, psd (RC) 605-607, 677, nonconc S am, conf 922, 924, rep adop (RC) 944-947, enr am 981-982, enr 982 (Chapter 143)
- HB 2-FN-A-L**, relative to state fees, funds, revenues, and expenditures. (Wallner, Merr 10: Finance)  
216, am (16 RCs) 607-656, conflict of interest declaration 656, psd (RC) 656-658, 677, nonconc S am, conf 922, 924, rep adop (RC) 949-952, debate printed rej 955, enr am 982-983, enr 983, committees amended 1083, committee appointments 1086 (Chapter 144)
- HB 25-FN-A**, making appropriations for capital improvements. (Campbell, Hills 33: Public Works and Highways)  
216, am (RC) 658-674, psd (RC) 674-677, nonconc S am, conf 922, 924, rep adop 952, enr am 983-984, enr 984, committee appointments 1083 (Chapter 195)
- HB 101**, relative to calculation of the local tax cap by the Newfound area school district. (Suzanne Smith, Graf 8; et al)  
rules suspended & intro 16, psd 17, S conc 31, enr 34 (Chapter 1)
- HB 102**, relative to custody and control of the remains of deceased persons by next of kin. (Kappler, Rock 3; et al: Judiciary)  
42, K 74
- HB 103-FN**, reducing the penalty for violating a local vendor ordinance. (Parison, Hills 25: Municipal and County Government)  
42, rem 72, K (RC) 91-94
- HB 104**, amending certain requirements to obtain a local vendor license. (Parison, Hills 25: Municipal and County Government)  
42, K 74
- HB 105**, relative to the release of motor vehicle registration information. (Luther, Belk 3: Transportation)  
42, K 76
- HB 106**, relative to the demand for rent and other damages, and the repeal of the landlord-agent requirement. (Warden, Hills 39; et al: Judiciary)  
42, K (RC) 85-88
- HB 107**, relative to the losing party's payment of the prevailing party's costs in tort actions. (Vail-lancourt, Hills 15: Judiciary)  
42, K 88
- HB 108**, permitting manufactured housing parks and condominium associations to access dog registration records. (LeBrun, Hills 32: Municipal and County Government)  
42, K 74
- HB 109-FN-L**, repealing group licenses for dog owners. (Cebrowski, Hills 7: Municipal and County Government)  
42, K 74
- HB 110**, requiring persons who record cruelty to livestock to report such cruelty and submit such recordings to a law enforcement agency. (Haefner, Hills 37; et al: Environment and Agriculture)  
42, ret 1079
- HB 111**, relative to the acquisition of property at Akers Pond dam in the town of Errol by the fish and game department. (Chandler, Carr 1; et al: Resources, Recreation and Development)  
**new title:** relative to the acquisition of property rights at Akers Pond dam in the town of Errol by the fish and game department and the acquisition of property rights at Northwood Lake dam in the town of Epsom and Hermit Lake dam in the town of Sanbornton by the department of environmental services.  
42, am 75-76, psd 100, S conc 679, enr 703 (Chapter 17)

- HB 112-FN**, relative to registration permit fees for special use vehicles. (J. Webb, Rock 6; et al: Transportation)  
**new title:** relative to reclamation trust funds.  
42, am 76-77, psd 100, S conc 679, enr 703 (Chapter 168)
- HB 113**, relative to lot access for erection of buildings. (J. Belanger, Hills 27: Municipal and County Government)  
42, am 74-75, psd 99, S nonconc 704
- HB 114**, relative to abutter access over subdivided land. (J. Belanger, Hills 27: Municipal and County Government)  
42, ret 1079
- HB 115**, relative to the procedure for filling a vacancy on a cooperative school district budget committee. (J. Belanger, Hills 27; et al: Municipal and County Government)  
42, psd 75, 99, S conc 754, enr 818 (Chapter 114)
- HB 116**, relative to the powers of an executor or administrator to take control of a decedent's social networking websites. (P. Sullivan, Hills 10: Judiciary)  
42, LT 88-89
- HB 117**, relative to driveway permits issued by the department of transportation. (D. McGuire, Merr 21; et al: Public Works and Highways)  
42, K (RC) 89-91
- HB 118**, providing legal immunity for 911 calls for drug or alcohol related emergencies. (Winters, Hills 18: Judiciary)  
**new title:** providing immunity from criminal prosecution for seeking medical assistance with an emergency drug or alcohol overdose event.  
42, SO 285, am 333-334, psd 393, S Com 704
- HB 119**, relative to voter registration. (Horrigan, Straf 6; et al: Election Law)  
42, am 377-378, psd (RC) 379-381, 393, nonconc S am (RC) 848-851
- HB 120**, relative to hours of sales by off-premises liquor licensees. (Comerford, Rock 33; et al: Commerce and Consumer Affairs)  
43, ret 1079
- HB 121-FN**, requiring drug testing of applicants for Temporary Assistance to Needy Families (TANF). (LeBrun, Hills 32; et al: Health, Human Services and Elderly Affairs)  
43, K 229-230
- HB 122**, relative to limitation of appropriations in official ballot municipalities. (Parkhurst, Ches 13: Municipal and County Government)  
43, K 177
- HB 123**, relative to the limitation of liability for negligence regarding firefighters. (Kappler, Rock 3; et al: Judiciary)  
**new title:** relative to the limitation of liability for negligence regarding public safety officers.  
43, am 106, psd 129, conc S am 848, enr 928 (Chapter 169)
- HB 124-FN**, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. (Major, Rock 14; et al: Executive Departments and Administration)  
**new title:** relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system, and relative to the director and assistant director of the division of homeland security and emergency management in the department of safety.  
43, LT rej 528-529, psd 529, 533, nonconc S am, conf 923, 924, conferee change 927, rep adop (RC) 952-955, enr 984 (Chapter 196)
- HB 125**, requiring the reporting of certain felony offenses by postsecondary educational institutions. (Ladd, Graf 4; et al: Criminal Justice and Public Safety)  
43, ret 1079

- HB 126-L**, relative to use of revolving funds by towns for maintaining recycling programs. (Daniels, Hills 40; et al: Municipal and County Government)  
43, psd 75, 100, S conc 598, enr 679 (Chapter 9)
- HB 127-FN-L**, relative to the state minimum hourly rate. (P. Sullivan, Hills 10; et al: Labor, Industrial and Rehabilitative Services)  
43, K 314
- HB 128**, relative to recording public votes in public records. (Christiansen, Hills 37: Judiciary)  
43, vac Municipal and County Government 72, K 317
- HB 129**, relative to access to galleries in the general court. (Horrigan, Straf 6; et al: Legislative Administration)  
43, K 138
- HB 130**, relative to upgrading the wiring of retail service stations to support generators or alternate power sources. (J. Belanger, Hills 27: Science, Technology and Energy)  
43, K 141
- HB 131-FN-L**, relative to payment for medical services for county prisoners. (J. Belanger, Hills 27; et al: Criminal Justice and Public Safety)  
43, Finance 82, K 536
- HB 132-FN-L**, relative to responsibility for medical costs incurred by a person in custody. (J. Belanger, Hills 27; et al: Criminal Justice and Public Safety)  
43, K 72
- HB 133**, relative to the authority of the superintendent of a county correctional facility to release a prisoner. (J. Belanger, Hills 27; et al: Criminal Justice and Public Safety)  
43, K 72
- HB 134**, relative to contingency funds in towns. (J. Belanger, Hills 27; et al: Municipal and County Government)  
43, psd 154, 159, conc S am 754, enr 818 (Chapter 115)
- HB 135**, relative to physical force in defense of a person and relative to the definition of non-deadly force. (Shurtleff, Merr 11; et al: Criminal Justice and Public Safety)  
43, SO 532, am (2RCs) 538-544, psd (RC) 545-547, 592, recon rej (RC) 547-550, S LT 931, S nonconc 998
- HB 136-L**, relative to compensation for attendance at meetings of the county convention. (Theberge, Coos 3: Municipal and County Government)  
43, rem 102, K (RC) 125-128
- HB 137**, relative to special number plates for members of the national guard. (Stroud, Hills 21; et al: Transportation)  
43, psd 109, 129, conc S am 823, enr 928 (Chapter 170)
- HB 138**, permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article on the official ballot. (Cushing, Rock 21; et al: Municipal and County Government)  
**new title:** permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot.  
**2nd new title:** permitting a political subdivision that has adopted the official ballot referendum form of meeting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot.  
43, am 138-139, psd 159, conc S am 755, enr 921 (Chapter 116)
- HB 139**, relative to the time towns that have adopted official ballot voting have to approve bonding in solid waste management districts. (Cushing, Rock 21; et al: Municipal and County Government)  
**new title:** relative to the time towns that have adopted official ballot voting have to approve bonding in solid waste management districts and ratifying the Greenland school district meeting held on March 11 and 12, 2013.  
43, am 317-318, psd 392, conc S am 755, enr 818 (Chapter 117)

- HB 140**, relative to the committee on legislator orientation. (L. Ober, Hills 37; et al: Legislative Administration)  
44, rem 102, am 125, psd 129, conc S am 848, enr 928, committee amended 1083 (Chapter 171)
- HB 141**, relative to training for new executive branch commissioners. (L. Ober, Hills 37; et al: Executive Departments and Administration)  
44, K 529
- HB 142**, relative to teacher evaluation systems. (Ladd, Graf 4; et al: Education)  
44, am 223, psd 284, nonconc S am, conf 161, 920, conferee change 921, rep adop 955, enr 984 (Chapter 243)
- HB 143**, allowing straight ticket voting. (Notter, Hills 21; et al: Election Law)  
44, rem 170, K 213
- HB 144**, prohibiting the state, counties, towns, and cities from implementing programs of, expending money for, receiving funding from, or contracting with the International Council for Local Environmental Initiatives. (Peterson, Hills 21; et al: Municipal and County Government)  
44, K (RC) 112-115
- HB 145-FN**, authorizing multi-use number plates. (Umberger, Carr 2; et al: Transportation)  
44, K 109
- HB 146**, increasing the speed limit on a portion of I-93 to 70 miles per hour. (Umberger, Carr 2; et al: Transportation)  
44, SO 285, psd (RC) 339-342, 393, S conc 679, enr 703 (Chapter 192)
- HB 147-FN**, establishing a formula for reimbursing municipalities for assessment expenses. (Lockwood, Merr 9; et al: Municipal and County Government)  
**new title:** repealing a duty of the assessing standards board concerning municipal reimbursement for the cost of assessments.  
44, am & Finance 106-107, referral declined 128, psd 129, S conc 679, enr 703, duties amended 1083 (Chapter 18)
- HB 148**, relative to electoral college electors. (Weed, Ches 16: Election Law)  
44, K 226
- HB 149**, relative to the information on fuel invoices. (Townsend, Graf 11: Commerce and Consumer Affairs)  
44, ret 1079
- HB 150**, relative to inspectors of election at town and school district meetings. (Steven Smith, Sull 11: Election Law)  
44, ret 1079
- HB 151**, relative to duties of inspectors of election. (Steven Smith, Sull 11: Election Law)  
44, ret 1079
- HB 152**, establishing a committee to study the feasibility of personal rapid transit systems. (Steven Smith, Sull 11; et al: Transportation)  
44, K 118
- HB 153**, prohibiting the designation of industrial hemp as a controlled substance. (Michael Garcia, Hills 34; et al: Criminal Justice and Public Safety)  
44, SO 285, psd 327, 393, S Com 704
- HB 154-FN**, establishing the New Hampshire condominium law review board. (Kappler, Rock 3; et al: Commerce and Consumer Affairs)  
44, K 135
- HB 155**, relative to the use of open source software by state agencies; including the department of information technology in the uniform electronic transactions act; and repealing the information practices act. (L. Ober, Hills 37; et al: Executive Departments and Administration)  
44, am & Finance 103, referral declined 128, psd 129, conc S am 797, enr 925 (Chapter 118)
- HB 156**, relative to the appointment and duties of the state fire marshal. (BurrIDGE, Ches 16: Executive Departments and Administration)  
44, am 172, psd 213, S conc 679, enr 703 (Chapter 172)



- HB 157**, renaming Blood Pond in the town of Lancaster as Mountain Lake Pond. (H. Richardson, Coos 4; et al: Resources, Recreation and Development)  
**new title:** renaming Blood Pond in the town of Lancaster as Evans Pond.  
44, am 180, psd 213, S conc 679, enr 703 (Chapter 10)
- HB 158**, relative to the issuance of waivers for lot loading or setback distances in condominium conversion. (Chandler, Carr 1; et al: Resources, Recreation and Development)  
44, ret 1079
- HB 159**, requiring patriotic exercises in public schools on federal Constitution Day. (Cordelli, Carr 4: Education)  
44, am 82-83, psd (RC) 83-85, 100, S nonconc 680
- HB 160**, relative to a school district's transportation responsibility for pupils of divorced parents with joint decision making responsibility. (Coffey, Hills 25; et al: Education)  
44, psd 73, 99, conc S am 754, enr 818 (Chapter 165)
- HB 161**, relative to school district policies on health and sex education. (Boehm, Hills 20; et al: Education)  
44, SO 285, LT rej (RC) 328-330, am 331, psd 393, nonconc S am 756
- HB 162**, relative to the scope of the New Hampshire rail transit authority. (Suzanne Smith, Graf 8; et al: Transportation)  
44, K 109
- HB 163**, relative to special number plates for disabled veterans. (Rhodes, Hills 30; et al: Transportation)  
44, psd 109, 129, S conc 818, enr 925 (Chapter 102)
- HB 164**, establishing a legislative oversight committee on corrections issues. (Robertson, Ches 6; et al: Criminal Justice and Public Safety)  
44, K 73
- HB 165**, establishing a committee to study the use of the sex offender registry. (Robertson, Ches 6: Criminal Justice and Public Safety)  
44, psd 73, 99, S nonconc 704
- HB 166**, requiring the public utilities commission to make specific findings as to the public need for proposed transmission lines. (Townsend, Graf 11; et al: Science, Technology and Energy)  
44, ret 1079
- HB 167**, relative to notice and information provided to the victim of a person seeking parole or the victim's next of kin. (Cushing, Rock 21; et al: Criminal Justice and Public Safety)  
45, psd 73, 99, S nonconc 704
- HB 168-FN-A**, increasing the beer tax. (Weed, Ches 16; et al: Ways and Means)  
45, K (RC) 122-125
- HB 169**, establishing an employers' private right of action to enforce the payment of workers' compensation coverage. (Weed, Ches 16: Labor, Industrial and Rehabilitative Services)  
45, ret 1079
- HB 170**, relative to the definition of a gift to an elected official, public official, public employee, constitutional official, or legislative employee. (Sapareto, Rock 6; et al: Legislative Administration)  
45, ret 1079
- HB 171**, relative to the civil penalty for failure to make payment of workers' compensation. (J. Webb, Rock 6; et al: Labor, Industrial and Rehabilitative Services)  
45, psd 137, 159, S nonconc 680
- HB 172**, requiring the labor commissioner to maintain certain statistical information regarding payment of workers' compensation. (J. Webb, Rock 6; et al: Labor, Industrial and Rehabilitative Services)  
45, am 137-138, psd 159, S nonconc 680
- HB 173**, repealing the authority for supplemental allowances under the judicial retirement plan. (C. McGuire, Merr 29; et al: Executive Departments and Administration)  
45, ret 1080

- HB 174**, prohibiting the use of motor vehicle records for any federal identification database. (C. McGuire, Merr 29; et al: Transportation)  
**new title:** prohibiting the department of safety from providing motor vehicle records for the purpose of creating or enhancing a federal identification database.  
45, am 109, psd 129, conc S am 755, enr 818 (Chapter 135)
- HB 175**, relative to New Hampshire domestic liquor and wines. (John Hunt, Ches 11; et al: Commerce and Consumer Affairs)  
45, ret 1080
- HB 176**, allowing towns and cities to grant a part year veterans credit during the year of acquisition of property. (John Hunt, Ches 11; et al: Municipal and County Government)  
45, K 176
- HB 177**, relative to licensing requirements for homestead food. (C. McGuire, Merr 29; et al: Environment and Agriculture)  
**new title:** relative to licensing requirements for homestead food and organic processor or handler certification.  
45, psd 103, 128, conc S am 754, enr 818 (Chapter 136)
- HB 178-FN-L**, relative to binding arbitration in public labor relations disputes. (Weed, Ches 16; et al: Labor, Industrial and Rehabilitative Services)  
**new title:** relative to public employer collective bargaining agreements.  
46, am 384-385, psd 393, S conc 704, enr 751 (Chapter 36)
- HB 179**, repealing the law on weather modification experimentation. (Tremblay, Rock 4; et al: Science, Technology and Energy)  
46, K 155
- HB 180**, relative to the definitions of “student athlete” and “student sports” for the management of concussion and head injury. (Ladd, Graf 4; et al: Education)  
46, am 223-224, psd 284, S conc 679, enr 703 (Chapter 19)
- HB 181**, repealing the equalization standards board. (Lockwood, Merr 9; et al: Municipal and County Government)  
46, psd 107, 129, S conc 679, enr 703, committee repealed 1083 (Chapter 20)
- HB 182**, relative to appointments to the assessing standards board. (Lockwood, Merr 9; et al: Municipal and County Government)  
46, psd 139, 159, S conc 679, enr 703, committee membership amended 1083 (Chapter 21)
- HB 183**, relative to processing absentee ballots. (J. Belanger, Hills 27; et al: Election Law)  
46, am 305, psd 392, S LT 680, nonconc S am, conf 851, 924, rep adop 955, enr 984, veto sustained (RC) 989-992
- HB 184-FN**, relative to the oil discharge cleanup fund. (L. Webb, Merr 3; et al: Resources, Recreation and Development)  
46, am & Ways and Means 108-109, psd 536, 592, S conc 704, enr 751, committee duties amended 1083 (Chapter 37)
- HB 185-FN**, relative to the fuel oil discharge cleanup fund. (L. Webb, Merr 3; et al: Resources, Recreation and Development)  
46, Ways and Means (RC) 115-118, conflict of interest declaration 118, 581, psd (RC) 578-581, 592, S conc 794, enr 921 (Chapter 145)
- HB 186**, relative to the authority of the department of state. (L. Ober, Hills 37; et al: Executive Departments and Administration)  
46, am 103-104, psd 129, S Com 795
- HB 187**, relative to deliberative sessions in towns that have adopted official ballot voting. (Porter, Hills 1: Labor, Industrial and Rehabilitative Services)  
**new title:** relative to cost items in negotiated agreements.  
46, am 138, psd 159, S conc 794, enr 921 (Chapter 244)

- HB 188**, decreasing the time required for eviction notice in cases where there is a material breach of the lease and requiring the tenant to meet financial obligations under the lease pending appeal. (Warden, Hills 39; et al: Judiciary)  
46, K 112
- HB 189**, repealing the commission to study water infrastructure sustainability funding. (Kappler, Rock 3; et al: Resources, Recreation and Development)  
**new title:** extending the commission to study water infrastructure sustainability funding.  
46, rem 286, SO 532, am 587-588, LT rej 588, psd 588, 592, S nonconc 795
- HB 190**, relative to professional misconduct of dental hygienists. (Borden, Rock 24; et al: Executive Departments and Administration)  
46, psd 104, 129, S conc 679, enr 703 (Chapter 22)
- HB 191**, relative to conformity of governmental land uses to land use regulations. (K. Rogers, Merr 28; et al: Municipal and County Government)  
46, rem 102, K 128
- HB 192**, relative to street rods. (Tasker, Rock 2; et al: Transportation)  
46, K 324
- HB 193**, relative to registration of vehicles by residents without a permanent street address. (Rhodes, Hills 30: Transportation)  
46, psd 118, 129, conc S am 755, enr 818 (Chapter 137)
- HB 194**, relative to collection of permit fees paid with insufficient fund checks. (Rhodes, Hills 30; et al: Transportation)  
46, psd 109-110, 129, S conc 598, enr 679 (Chapter 15)
- HB 195**, relative to commercial driver learner permits. (Rhodes, Hills 30; et al: Transportation)  
46, psd 110, 129, conc S am 755, enr 818 (Chapter 146)
- HB 196**, relative to weight of commercial vehicles with idle reduction devices. (Rhodes, Hills 30; et al: Transportation)  
46, am 110, psd 129, conc S am 755, enr 921 (Chapter 138)
- HB 197**, relative to state representative districts in Hillsborough county. (Takesian, Hills 37; et al: Election Law)  
46, K 185
- HB 198**, relative to town boundary perambulation. (Weyler, Rock 13; et al: Municipal and County Government)  
47, am 155, psd 159, S nonconc 598
- HB 199**, relative to expenditures from the fish and game search and rescue fund. (Weyler, Rock 13; et al: Fish and Game and Marine Resources)  
47, K 249
- HB 200**, relative to an employer's burden of proof in unemployment compensation hearings. (Steven Smith, Sull 11: Labor, Industrial and Rehabilitative Services)  
47, am 175-176, psd 213, S Com 795
- HB 201**, relative to school district policies on health and sex education. (Ladd, Graf 4; et al: Education)  
47, K 171
- HB 202-FN**, relative to liquor licenses for inns. (Weber, Ches 1; et al: Commerce and Consumer Affairs)  
**new title:** relative to beverage and liquor licenses for bed and breakfasts.  
47, am 395-396, psd 477, S conc 679, enr 703 (Chapter 23)
- HB 203**, relative to workers' compensation coverage for contractors on state projects. (Graham, Hills 7; et al: Public Works and Highways)  
**new title:** relative to workers' compensation coverage for contractors on state projects and state land timber sales.  
47, am & Labor, Industrial and Rehabilitative Services 107-108, ret 1080

- HB 204-FN-L**, relative to the removal of social security and other numbers from registry of deeds documents available on the Internet. (Watrous, Merr 16; et al: Municipal and County Government)  
**new title:** relative to the removal of social security and other numbers from registry of deeds documents available on the Internet, and relative to background checks for county employees.  
47, rcmt 198, am 318, psd 392, conc S am 755, enr 921 (Chapter 147)
- HB 205**, relative to the identification of dental prosthetic and orthodontic appliances. (D. Hooper, Straf 16; et al: Health, Human Services and Elderly Affairs)  
47, K 105
- HB 206**, relative to political advertising. (Perry, Straf 3; et al: Election Law)  
47, psd 226, 284, S conc 679, enr 703 (Chapter 24)
- HB 207**, relative to the inspection and regulation of coin-operated amusement rides. (Cali-Pitts, Rock 30: Executive Departments and Administration)  
47, K 185-186
- HB 208**, relative to annual reports of county officers. (Bouchard, Merr 18; et al: Municipal and County Government)  
47, psd 139, 159, S conc 598, enr 679 (Chapter 13)
- HB 209**, relative to the relinquishment of firearms as a condition of bail. (Lambert, Hills 44; et al: Criminal Justice and Public Safety)  
47, K 302
- HB 210**, relative to the procedure for eviction from a manufactured housing park. (Warden, Hills 39: Judiciary)  
47, K 106
- HB 211**, relative to service of demand for rent and eviction notice. (Jasper, Hills 37; et al: Judiciary)  
47, psd 106, 129, S conc 704, enr 751 (Chapter 87)
- HB 212**, relative to charitable gaming. (D. Sullivan, Hills 42; et al: Ways and Means)  
47, K 182
- HB 213**, requiring college courses completed by a high school student to be counted in the student's grade point average. (Roberts, Ches 4: Education)  
47, K 137
- HB 214**, relative to the eligibility of high school students enrolled in college courses to participate in high school extracurricular activities. (Roberts, Ches 4: Education)  
47, K 137
- HB 215-FN-L**, relative to workforce housing and the definition of community. (Flanagan, Hills 26; et al: Municipal and County Government)  
47, K 458
- HB 216**, relative to the use of the title "fire marshal." (Rhodes, Hills 30; et al: Executive Departments and Administration)  
47, psd 104, 129, S conc 679, enr 703 (Chapter
- HB 217**, imposing an extended term of imprisonment for assault against a health care provider. (A. White, Graf 13: Criminal Justice and Public Safety)  
47, ret 1080
- HB 218-FN**, prohibiting interference with access to medical services and health insurance of New Hampshire citizens. (Itse, Rock 10; et al: Health, Human Services and Elderly Affairs)  
48, K 111
- HB 219**, limiting the authority of delegates to Article V conventions. (Itse, Rock 10; et al: State-Federal Relations and Veterans Affairs)  
48, K 158
- HB 220**, relative to the New Hampshire medal of honor. (Graham, Hills 7; et al: State-Federal Relations and Veterans Affairs)  
48, SO & psd 141, 159, remarks printed 141-142, nonconc S am, conf 923, 924, rep adop 955-956, enr 984 (Chapter 245)

- HB 221**, relative to the duty of the long range capital planning and utilization committee. (Graham, Hills 7; et al: Public Works and Highways)  
48, psd 108, 129, S conc 704, enr 751, repealed study and report 1083 (Chapter 83)
- HB 222**, relative to business names registered with the secretary of state. (D. McGuire, Merr 21: Commerce and Consumer Affairs)  
48, ret 1080
- HB 223**, relative to access to school-approved means of communication by recognized youth organizations. (Haefner, Hills 37: Education)  
48, K 110
- HB 224**, relative to the authority of the superintendent of a county correctional facility. (Pantelakos, Rock 25; et al: Criminal Justice and Public Safety)  
48, am 404-405, psd 478, nonconc S am, conf 923, 924, conferee change 928, rep adop 956, enr 984 (Chapter 277)
- HB 225**, relative to the rulemaking authority of the liquor commission. (C. McGuire, Merr 29; et al: Executive Departments and Administration)  
48, psd 111, 129, conc S am 820, enr 928 (Chapter 174)
- HB 226**, establishing a committee to study the promotion of New Hampshire wines. (Sad, Ches 1; et al: Commerce and Consumer Affairs)  
48, ret 1080
- HB 227**, relative to property and casualty insurance. (Butler, Carr 7; et al: Commerce and Consumer Affairs)  
48, ret 1080
- HB 228**, relative to insurance fraud. (Butler, Carr 7; et al: Commerce and Consumer Affairs)  
48, vac Judiciary 72, psd 232, 284, conc S am 848, enr 981 (Chapter 234)
- HB 229-FN**, relative to a financial examination supervisor. (Butler, Carr 7; et al: Commerce and Consumer Affairs)  
48, psd 135-136, 159, conc S am 820, enr 928 (Chapter 205)
- HB 230**, relative to administrative supervision of insurers. (Butler, Carr 7; et al: Commerce and Consumer Affairs)  
48, psd 136, 159, S Com 680
- HB 231**, relative to reinsurance. (Schlachman, Rock 18; et al: Commerce and Consumer Affairs)  
48, psd 136, 159, conc S am 820, enr am 929, enr 981 (Chapter 235)
- HB 232**, relative to the membership of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment. (J. MacKay, Merr 14; et al: Health, Human Services and Elderly Affairs)  
48, am 73-74, psd 99, conc S am 706, enr 794, committee membership amended 1083 (Chapter 84)
- HB 233**, relative to the care of war memorials in Franconia Notch state park. (Baldasaro, Rock 5; et al: Resources, Recreation and Development)  
**new title:** relative to the care of the war memorial in Franconia Notch state park.  
48, am 181, psd 213, nonconc S am, conf 923, 924, no report filed 1079
- HB 234**, relative to occupational and professional boards and commissions procedures concerning military service and occupational experience or training. (Baldasaro, Rock 5; et al: Executive Departments and Administration)  
48, am 307-308, psd 392, S Com 795
- HB 235**, allowing counties to contract for professional real estate services for the sale or lease of county property. (Jasper, Hills 37; et al: Municipal and County Government)  
48, am 140, psd 159, 213, conc S am 755, enr 818 (Chapter 119)
- HB 236**, relative to membership of the council on autism spectrum disorders. (Harding, Graf 13; et al: Health, Human Services and Elderly Affairs)  
48, am 74, psd 99, S conc 598, enr 679 (Chapter 11)

- HB 237**, relative to home production of liquor and wine for personal or family use. (M. Mann, Rock 32; et al: Commerce and Consumer Affairs)  
**new title:** relative to home production of wine for personal or family use.  
48, am 136-137, psd 159, S conc 679, enr 703 (Chapter 25)
- HB 238**, relative to the disposition of estates valued at less than \$10,000. (J. Webb, Rock 6; et al: Judiciary)  
48, K 112
- HB 239**, relative to online availability of certain county budget information and reports. (Cordelli, Carr 4; et al: Municipal and County Government)  
49, rem 135, K 158-159
- HB 240-FN-A**, repealing the prospective repeal date for the research and development tax credit. (G. Richardson, Merr 10; et al: Ways and Means)  
49, K 325
- HB 241-FN**, establishing a state minimum hourly rate. (Robertson, Ches 6: Labor, Industrial and Rehabilitative Services)  
49, K 314
- HB 242**, relative to child passenger restraint requirements. (Kelly, Merr 20; et al: Transportation)  
49, SO 285, 342, am 424-425, psd (RC) 425-427, 478, nonconc S am, conf 756, 920, rep adop (RC) 956-958, enr 984 (Chapter 246)
- HB 243**, relative to the board of trustees of a chartered public school. (Allen, Rock 15; et al: Education)  
49, ret 1080
- HB 244-FN**, establishing the purple heart toll pass for qualifying veterans. (Weyler, Rock 13; et al: Public Works and Highways)  
49, K 140
- HB 245**, relative to the cost of railroad crossings upon the restoration of rail service. (Kidder, Merr 5; et al: Transportation)  
49, K 324
- HB 246**, relative to falsity by employer. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)  
49, Criminal Justice and Public Safety 138, psd 534-535, 592, conc S am 821, enr 928 (Chapter 206)
- HB 247-FN**, increasing compensation for wrongful incarceration. (Robertson, Ches 6; et al: Criminal Justice and Public Safety)  
49, SO 285, psd 327, 393, S nonconc 680
- HB 248**, establishing a committee to study implementation of early processing of absentee ballots at state elections. (Ferrante, Rock 6; et al: Election Law)  
49, K 305
- HB 249-FN**, requiring employers to verify an employee's eligibility to work in the United States. (Duarte, Rock 2; et al: Labor, Industrial and Rehabilitative Services)  
49, ret 1080
- HB 250-FN-A**, relative to campaign contributions and expenditures. (French, Merr 6; et al: Election Law)  
49, ret 1080
- HB 251**, relative to the legislative members of the home education advisory council. (Gile, Merr 27; et al: Education)  
49, psd 110-111, 129, S nonconc 598
- HB 252**, consolidating the property appraisal division and the municipal services division of the department of revenue administration. (Cooney, Graf 8: Executive Departments and Administration)  
49, am & Finance 104, psd 228, 284, conflict of interest declaration 103, 824, 958, nonconc S am, conf 824, 924, rep adop 958, enr am 984, enr 987 (Chapter 247)

- HB 253**, eliminating limitations on sales by nano breweries for consumption on the premises. (O'Flaherty, Hills 12; et al: Commerce and Consumer Affairs)  
**new title:** relative to limitations on sales by nano breweries for consumption on the premises.  
 49, am 222, psd 284, nonconc S am, conf 823, 924, conferee change 928, rep adop 959, enr am 984-985, enr 987 (Chapter 248)
- HB 254-FN-A**, abolishing certain positions in the liquor commission. (L. Ober, Hills 37; et al: Executive Departments and Administration)  
 49, Finance 104, psd 228-229, 284, S conc 795, enr 921 (Chapter 139)
- HB 255-FN**, relative to the workers' compensation law. (Daniels, Hills 40: Labor, Industrial and Rehabilitative Services)  
 49, ret 1080
- HB 256-FN**, relative to funding for the fish and game search and rescue fund. (Chandler, Carr 1; et al: Fish and Game and Marine Resources)  
 49, ret 1080
- HB 257-FN**, discontinuing collection of the toll at exit 12 on the Everett turnpike in the town of Merrimack. (Notter, Hills 21; et al: Public Works and Highways)  
 49, K 321
- HB 258-FN**, prohibiting the taking of deer from baited areas. (Kidder, Merr 5: Fish and Game and Marine Resources)  
 49, ret 1080
- HB 259-FN**, relative to special licenses for taking lobster while engaged in recreational scuba diving. (Duarte, Rock 2; et al: Fish and Game and Marine Resources)  
 50, am & Ways and Means (RC) 249-252, am & psd 536, 592, S nonconc 795
- HB 260-FN**, relative to voluntary services provided by the department of health and human services to children in need. (Lovejoy, Rock 36; et al: Children and Family Law)  
**new title:** relative to voluntary services provided to children in need under RSA 169-D.  
**2nd new title:** relative to the children in need of services (CHINS) program.  
**3rd new title:** relative to the children in need of services (CHINS) program and relative to court-ordered placements in shelter care facilities and at the youth development center.  
**4th new title:** relative to the children in need of services (CHINS) program, relative to court-ordered placements in shelter care facilities and at the youth development center and requiring a report on the uses of the Sununu Youth Services Center.  
 50, am & Finance 239-242, am (RC) 568-575, psd 575, 592, nonconc S am, conf 923, 924, rep adop 959, enr am 985, enr 987 (Chapter 249)
- HB 261-FN**, relative to the assistance program for 2-parent families with dependent children. (Donovan, Sull 4; et al: Health, Human Services and Elderly Affairs)  
**new title:** relative to the assistance program for 2-parent families with dependent children and making a technical correction.  
 50, am 105, psd 129, conc S am 847, enr 928 (Chapter 175)
- HB 262**, establishing a committee to study the construction of a permanent memorial to Governor John Gilbert Winant on state property other than the state house grounds. (Shurtleff, Merr 11; et al: Public Works and Highways)  
 50, psd 140, 159, S conc 795, enr 921, committee appointments 1084 (Chapter 120)
- HB 263**, establishing a committee to study examination of elderly drivers. (Sad, Ches 1: Transportation)  
 50, ret 1080
- HB 264-FN**, relative to simple assault. (Sapareto, Rock 6; et al: Criminal Justice and Public Safety)  
 50, K (RC) 502-504
- HB 265**, relative to procedures by absentee voters. (F. Rice, Rock 21; et al: Election Law)  
 50, am 305-306, psd 392, S LT 680, nonconc S am, conf 851, 924, no report filed 1079
- HB 266**, repealing certain agency rulemaking exemptions from the administrative procedures act. (C. McGuire, Merr 29; et al: Executive Departments and Administration)  
 50, K 186

- HB 267**, relative to the board of accountancy. (C. McGuire, Merr 29; et al: Executive Departments and Administration)  
50, psd 172, 213, S conc 679, enr 703 (Chapter 26)
- HB 268-FN**, establishing a moratorium period for lobbying by certain state officers. (P. Sullivan, Hills 10: Legislative Administration)  
50, K 176
- HB 269-L**, authorizing a city or town to conduct a special meeting necessitated by changes in adequate education funding. (Boehm, Hills 20; et al: Education)  
**new title:** authorizing a school district to conduct a special meeting necessitated by changes in adequate education funding.  
50, rem 135, rcmt 158, am & Finance 224-225, psd 536, 592, conc S am 820, enr 928 (Chapter 197)
- HB 270-FN-A**, making an appropriation to the department of education to fund career and technical student organizations. (Shurtleff, Merr 11; et al: Finance)  
50, K 111
- HB 271**, stating that New Hampshire will not accept expanded Medicaid. (W. O'Brien, Hills 5; et al: Health, Human Services and Elderly Affairs)  
50, SO 332, 391, K (RC) 415-418
- HB 272-FN**, relative to registration of aircraft based in another state. (Lefebvre, Sull 1: Transportation)  
50, K 141
- HB 273-FN-L**, authorizing the commissioner of the department of resources and economic development to enter into contracts for the provision of free WiFi Internet access at Hampton Beach state park. (Cushing, Rock 21; et al: Resources, Recreation and Development)  
50, rem 170, SO 213, K 264
- HB 274-FN**, requiring a mandatory minimum sentence for class B burglary. (C. McGuire, Merr 29: Criminal Justice and Public Safety)  
51, K 223
- HB 275-FN**, requiring the liquor commission to establish a pilot program for the sale of New Hampshire microbrewery and nano brewery beers at certain state liquor stores. (Cushing, Rock 21; et al: Commerce and Consumer Affairs)  
51, K 222
- HB 276**, relative to wildlife resistant solid waste storage and disposal. (Reilly, Graf 9: Fish and Game and Marine Resources)  
51, K 229
- HB 277**, relative to the oath required of public officers. (Christiansen, Hills 37: Election Law)  
51, rem 170, SO 213, K 272
- HB 278**, relative to voluntary installation of fire suppression sprinklers. (John Hunt, Ches 11: Commerce and Consumer Affairs)  
51, rem 170, rcmt 212, am 287-288, psd 391, conc S am 820, enr 928 (Chapter 207)
- HB 279**, establishing a pilot program for New Hampshire citizen emergency response teams. (Hagan, Rock 4; et al: Health, Human Services and Elderly Affairs)  
51, K 105
- HB 280**, relative to voting requirements in towns that have adopted official ballot voting. (Abrami, Rock 19; et al: Municipal and County Government)  
51, K 177
- HB 281**, permitting retired judges over the age of 70 to serve the courts under certain circumstances. (Walz, Merr 23; et al: Judiciary)  
51, K 112
- HB 282**, relative to mixed use school buses and relative to licensing and criminal records of driver education instructors. (Packard, Rock 5; et al: Transportation)  
**new title:** relative to mixed use school buses, relative to licensing and criminal records of driver education instructors, and relative to background checks for department of safety employees.  
51, am 236-237, psd 284, S conc 679, enr 703 (Chapter 176)



- HB 283**, establishing a study committee to review the hearings officer's report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B. (D. Sullivan, Hills 42: Municipal and County Government)  
51, psd 177, 213, conc S am 848, enr 928, committee appointments 1084 (Chapter 208)
- HB 284-FN**, providing for collection of the E-911 surcharge from certain prepaid cellular telephones. (Burrige, Ches 16: Science, Technology and Energy)  
51, ret 1080
- HB 285**, restoring the authorization of the division of emergency services and communications and the division of fire standards and training and emergency medical services to make transfers from their respective funds in cases of unanticipated contingencies. (Burrige, Ches 16; et al: Finance)  
51, K 104
- HB 286**, relative to broadband infrastructure. (Townsend, Graf 11; et al: Science, Technology and Energy)  
51, rcmt 459-460, ret 1080
- HB 287-FN**, eliminating voter identification requirements. (Horrigan, Straf 6; et al: Election Law)  
51, K (RC) 519-521
- HB 288-FN**, relative to the department of health and human services promoting awareness of the federal earned income credit. (P. Sullivan, Hills 10: Commerce and Consumer Affairs)  
51, K 137
- HB 289-FN**, increasing certain speed limits to 70 miles per hour. (Vaillancourt, Hills 15; et al: Transportation)  
51, SO 285, K (RC) 342-345
- HB 290-FN**, prohibiting unlicensed persons from openly carrying a pistol or revolver in a public building. (Burrige, Ches 16; et al: Criminal Justice and Public Safety)  
51, K (RC) 504-507
- HB 291-FN**, increasing certain speed limits to 75 miles per hour. (Vaillancourt, Hills 15; et al: Transportation)  
51, SO 285, K (RC) 345-348
- HB 292-FN-A**, requiring milfoil decals on private vessels registered in other states or countries and operating on the inland waters of New Hampshire. (Ahlgren, Carr 6; et al: Resources, Recreation and Development)  
52, ret 1080
- HB 293**, relative to the adverse events reporting system. (Rosenwald, Hills 30; et al: Health, Human Services and Elderly Affairs)  
52, am 230, psd 284, S conc 679, enr 703 (Chapter 27)
- HB 294**, relative to voter database information provided for preparation of jury lists. (Kurk, Hills 2: Election Law)  
52, ret 1080
- HB 295**, requiring criminal background checks for volunteers and employees at youth skill camps. (LeBrun, Hills 32; et al: Resources, Recreation and Development)  
52, am & Ways and Means (RC) 264-268, conflict of interest declaration 268, LT rej 581, am 581-582, psd (RC) 582-584, 592, nonconc S am, conf 923, 924, rep adop (RC) 959-961, enr 984 (Chapter 250)
- HB 296**, relative to assignment of circuit court judges as liaison judges. (Rowe, Hills 22: Judiciary)  
52, K 189
- HB 297**, relative to the management of trust funds and capital reserve funds. (F. Rice, Rock 21; et al: Municipal and County Government)  
52, rcmt 413-414, ret 1080
- HB 298**, prohibiting the publication of the names of persons granted property tax exemptions, credits, or deferrals. (A. White, Graf 13; et al: Municipal and County Government)  
52, K 198

- HB 299-FN**, relative to tuition payments for chartered public school pupils. (Boehm, Hills 20; et al: Education)  
52, Finance 247, ret 1080
- HB 300**, requiring postsecondary education institutions to compile and submit reports on remedial education courses. (Boehm, Hills 20; et al: Education)  
52, K 303-304
- HB 301**, relative to notice of sale in foreclosure proceedings. (Almy, Graf 13: Commerce and Consumer Affairs)  
52, psd 137, 159, S LT 680, S nonconc 998
- HB 302**, relative to restrictions on holders of youth operators' licenses. (Kelly, Merr 20; et al: Transportation)  
52, SO 285, K 348
- HB 303**, establishing a committee to study the teaching of a second language beginning in kindergarten. (Gargas, Hills 27; et al: Education)  
52, SO 148, K 185
- HB 304-FN**, relative to OHRV registration transfer fees, removing the penalty of completion of a training program for certain OHRV and snowmobile violations, and deleting OHRV and snowmobile vanity plates or decals. (Reed, Merr 2: Fish and Game and Marine Resources)  
52, Ways and Means 229, am & psd 537, 592, S conc 795, enr 921 (Chapter 148)
- HB 305**, establishing a committee to study the apportionment formula for cooperative school districts for towns with electric generation facilities. (Grenier, Sull 7; et al: Municipal and County Government)  
52, SO 391, am 414-415, conflict of interest declaration 415, 755, psd 478, conc S am 755, enr 818, committee appointments 1084 (Chapter 103)
- HB 306**, establishing a commission to develop an energy policy for the state. (Rappaport, Coos 1: Science, Technology and Energy)  
**new title:** relative to New Hampshire's regional greenhouse gas initiative.  
52, am (RC) 460-465, conflict of interest declaration 465, 823, psd 465, 478, conc S am (RC) 821-823, enr 983 (Chapter 236)
- HB 307**, relative to the removal of certain wood stoves upon the sale of a home and notification of such removal to the department of environmental services. (P. Schmidt, Straf 19; et al: Science, Technology and Energy)  
52, K (RC) 155-158
- HB 308**, relative to technical changes to election laws. (Fields, Belk 4: Election Law)  
52, psd 226, 284, conc S am 848, enr 928 (Chapter 209)
- HB 309**, relative to filing for office. (Fields, Belk 4: Election Law)  
52, am 171, psd 213, S conc 598, enr 679 (Chapter 14)
- HB 310**, relative to application of laws on employment to the members of the house of representatives. (Christiansen, Hills 37: Legislative Administration)  
52, K 138
- HB 311**, establishing a statutory expectation of privacy in personal materials. (Kurk, Hills 2: Judiciary)  
52, K 148
- HB 312**, restricting the collection of biometric data by state agencies, municipalities, and political subdivisions. (Kurk, Hills 2; et al: Executive Departments and Administration)  
52, ret 1080
- HB 313**, relative to the regulation of the compounding of drugs by pharmacists. (D. Sullivan, Hills 42: Health, Human Services and Elderly Affairs)  
52, am 310-311, psd 392, conc S am 754, enr am 818, enr 921 (Chapter 121)
- HB 314**, raising limits on single wagers in games of chance. (D. Sullivan, Hills 42; et al: Ways and Means)

**new title:** raising limits on single wagers in games of chance and relative to gross revenues received by charitable organizations participating in games of chance.

52, SO 285, am 352-353, psd 393, nonconc S am, conf 824, 924, no report filed 1079

**HB 315-FN**, relative to liquor commission discounts. (Ulery, Hills 37: Commerce and Consumer Affairs)  
52, K 244

**HB 316-FN**, relative to regulating alkaline hydrolysis for the disposal of human remains. (Vailancourt, Hills 15; et al: Health, Human Services and Elderly Affairs)  
52, am & Executive Departments and Administration 252-253, rem 534, LT rej (RC) 588-591, am & psd 591, 592, S nonconc 704

**HB 317-FN**, relative to verification of school district membership data. (Weyler, Rock 13; et al: Education)  
52, K 304

**HB 318-FN**, relative to collection of the education property tax and establishing a program to rebate certain excess property tax payments of eligible taxpayers. (Sapareto, Rock 6; et al: Ways and Means)  
53, LT rej & K 199

**HB 319-FN**, relative to benefits for state employees serving in the armed forces. (Hess, Merr 24; et al: Executive Departments and Administration)  
53, am & Finance 227, ret 1080

**HB 320-FN**, establishing a state bank. (Christiansen, Hills 37; et al: Commerce and Consumer Affairs)  
53, K 222

**HB 321-FN-L**, requiring proficiency on the statewide assessment for high school graduation. (Pitre, Straf 2: Education)  
53, K 225

**HB 322-FN-L**, requiring proficiency on the statewide assessment for advancement to grades 4 and 8. (Pitre, Straf 2; et al: Education)  
53, K 225

**HB 323-FN**, establishing the Franklin Partin right-to-work act. (W. O'Brien, Hills 5; et al: Labor, Industrial and Rehabilitative Services)  
53, K (RC) 151-154, recon rej 154

**HB 324-FN-L**, relative to the school district budget for kindergarten. (Christiansen, Hills 37: Education)  
53, K 225

**HB 325-FN**, relative to public employee suggestions for cost-saving measures. (Flanagan, Hills 26; et al: Executive Departments and Administration)  
53, psd (RC) 186-189, S nonconc 795

**HB 326-FN**, relative to licensure of polysomnographers by the board of respiratory care practitioners. (Devine, Rock 4; et al: Executive Departments and Administration)  
53, ret 1080

**HB 327-FN**, relative to payment of attorneys' fees for indigent parents in termination of parental rights cases. (Rowe, Hills 22: Children and Family Law)  
53, psd 221, 284, conc S am 754, enr 818 (Chapter 104)

**HB 328-FN**, relative to the sale of pets. (O'Connor, Rock 6; et al: Environment and Agriculture)  
53, am 171, psd 213, S conc 704, enr 751 (Chapter 38)

**HB 329-FN**, requiring purchasers of medical equipment to be notified of the actual cost of such equipment at time of sale. (Townsend, Graf 11: Health, Human Services and Elderly Affairs)  
53, ret 1080

**HB 330-FN-L**, allowing counties to adopt a county income tax to be administered by the department of revenue administration. (Burrige, Ches 16; et al: Municipal and County Government)  
53, K 178

**HB 331-FN**, relative to wine manufacturers. (Warden, Hills 39: Commerce and Consumer Affairs)  
53, ret 1080

- HB 332-FN-A-L**, relative to antique vessel registration. (Ahlgren, Carr 6: Transportation)  
53, K 237
- HB 333-FN**, relative to advertising of New Hampshire products by the liquor commission. (M. Mann, Rock 32; et al: Commerce and Consumer Affairs)  
53, K 222
- HB 334-FN**, requiring pharmacy interns to register with the pharmacy board. (P. Schmidt, Straf 19; et al: Executive Departments and Administration)  
53, am 308, psd 392, S conc 704, enr am 795, enr 818 (Chapter 105)
- HB 335-FN-A**, relative to the tobacco tax. (Weyler, Rock 13; et al: Ways and Means)  
53, K (RC) 199-202
- HB 336-FN**, prohibiting the retail sale of certain fireworks devices. (Takesian, Hills 37; et al: Criminal Justice and Public Safety)  
53, ret 1080
- HB 337-FN**, legalizing marijuana and cannabis. (Warden, Hills 39; et al: Criminal Justice and Public Safety)  
53, K (RC) 368-371
- HB 338-FN-L**, relative to the state contribution for water pollution control. (Umberger, Carr 2; et al: Resources, Recreation and Development)  
53, ret 1080
- HB 339-FN**, relative to consumer credit. (C. Rice, Merr 27; et al: Commerce and Consumer Affairs)  
**new title:** establishing a committee to study existing debt collection laws and practices.  
53, am 396-397, psd 477, S conc 679, enr 703, committee appointments 1084 (Chapter 28)
- HB 340-FN-A**, relative to resurfacing a portion of East Conway Road and making an appropriation therefor. (Buco, Carr 2; et al: Public Works and Highways)  
53, K 140-141
- HB 341-FN**, relative to the cost of fiscal analysis of legislation relating to the retirement system. (K. Rogers, Merr 28; et al: Finance)  
53, ret 1080
- HB 342-FN**, relative to part-time employment of retired members of the retirement system. (D. Sullivan, Hills 42: Executive Departments and Administration)  
**new title:** relative to reporting of compensation paid to retired members of the retirement system.  
**2nd new title:** relative to reporting of compensation paid to retired members of the retirement system and relative to notice to retired members of the limitations on part-time employment.  
**3rd new title:** relative to reporting of compensation paid to retired members of the retirement system, relative to notice to retired members of the limitations on part-time employment, and relative to retirement system membership for a person holding positions of town clerk and tax collector.  
53, am 308-309, psd 392, conc S am 820, enr 928 (Chapter 251)
- HB 343-FN**, relative to laws regarding pawnbrokers. (Huot, Belk 3; et al: Commerce and Consumer Affairs)  
53, ret 1080
- HB 344-FN-L**, relative to aid to school districts for the cost of special education. (Ladd, Graf 4; et al: Education)  
53, rem 170, Finance 212-213, rem 534, LT 591-592
- HB 345**, repealing the prohibition on tinted glass in motor vehicles. (Sapareto, Rock 6; et al: Transportation)  
54, SO 285, K 351-352
- HB 346**, establishing a committee to study low-profit limited liability companies. (Gagnon, Sull 5; et al: Commerce and Consumer Affairs)  
54, am 488-489, psd 533, S Com 704
- HB 347**, authorizing cottage housing development as an innovative land use control. (Shurtleff, Merr 11; et al: Municipal and County Government)  
54, psd 198, 214, S nonconc 598

- HB 348**, relative to determining the period of license revocation for driving under the influence. (Steven Smith, Sull 11: Criminal Justice and Public Safety)  
54, K 223
- HB 349**, relative to OHRV operation of certain 4-wheel drive vehicles on trails within Jericho Mountain state park. (Coulombe, Coos 3; et al: Resources, Recreation and Development)  
54, am 409-410, psd 478, S conc 679, enr 703 (Chapter 34)
- HB 350**, prohibiting discrimination against the unemployed. (Copeland, Rock 19: Labor, Industrial and Rehabilitative Services)  
54, ret 1080
- HB 351**, relative to appointment of inspectors of election. (Hoelzel, Rock 3: Election Law)  
54, ret 1080
- HB 352**, relative to sending checklists to the state archives. (Hoelzel, Rock 3; et al: Election Law)  
54, am 306, psd 392, S conc 795, enr 921 (Chapter 106)
- HB 353**, relative to the regulation of private investigators and security guards. (Burrige, Ches 16: Executive Departments and Administration)  
54, am 309, psd 392, nonconc S am, conf 797, 921, no report filed 1079
- HB 354-FN-A**, reducing the rate of the business enterprise tax over a 5-year period and repealing the tax. (Rideout, Coos 7; et al: Ways and Means)  
54, K (RC) 202-205, recon rej 205
- HB 355**, establishing a committee to study the feasibility of cities and towns transferring insurance under the Patient Protection and Affordable Care Act. (Renzullo, Hills 37: Commerce and Consumer Affairs)  
54, K 288
- HB 356**, establishing a committee to study the feasibility of the state transferring insurance under the Patient Protection and Affordable Care Act. (Renzullo, Hills 37: Commerce and Consumer Affairs)  
54, K 288
- HB 357**, prohibiting an employer from using credit history in employment decisions. (Cushing, Rock 21: Labor, Industrial and Rehabilitative Services)  
54, LT rej 453-454, am 454, psd (RC) 454-457, 478, nonconc S am, conf 922, 924, no report filed 1079
- HB 358-FN-A**, relative to the children in need of services program and making an appropriation therefor. (Pantelakos, Rock 25; et al: Finance)  
54, K 111
- HB 359**, relative to mailing of notices and determinations by the department of employment security. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)  
54, psd 176, 213, S conc 704, enr 751 (Chapter 39)
- HB 360**, relative to overpayments caused by arbitration awards, back pay awards, settlement agreements, or jury verdicts. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)  
54, K 176
- HB 361**, relative to worksharing. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)  
54, psd 176, 213, conc S am 754, enr am 921, enr 928 (Chapter 210)
- HB 362**, banning corn-based ethanol as an additive to gasoline sold in New Hampshire. (Campbell, Hills 33; et al: Science, Technology and Energy)  
54, SO 285, am 338-339, psd 393, S nonconc 704
- HB 363**, establishing a committee to study the form of the oath taken by members of the general court. (Hikel, Hills 6: Legislative Administration)  
54, psd 316, 392, S nonconc 795
- HB 364**, requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment. (Copeland, Rock 19; et al: Executive Departments and Administration)  
**new title**: relative to notice required concerning employment of a retired member of the New Hampshire retirement system of the limitations on part-time employment.  
54, am 529-530, psd (RC) 530-532, 533, S nonconc 795

- HB 365**, relative to membership of village districts in regional planning commissions. (Coffey, Hills 25: Municipal and County Government)  
54, K 458
- HB 366-FN**, relative to showing a ballot. (Horrigan, Straf 6: Election Law)  
54, ret 1080
- HB 367**, relative to the municipal bond bank reserve process. (A. White, Graf 13; et al: Commerce and Consumer Affairs)  
54, psd 288, 391, S conc 704, enr am 796, enr 818 (Chapter 107)
- HB 368**, relative to the telecommunications planning and development initiative. (Rappaport, Coos 1: Science, Technology and Energy)  
54, psd 158, 159, S conc 679, enr 703, committee repealed and reenacted 1083 (Chapter 29)
- HB 369**, relative to investment of excess funds by the county treasurer. (Shattuck, Hills 1; et al: Municipal and County Government)  
54, K 178
- HB 370-FN**, repealing the education tax credit program. (Gile, Merr 27; et al: Ways and Means)  
54, psd (RC) 205-208, 214, recon rej 208, S LT 680, S nonconc 999
- HB 371**, repealing the statute recognizing cohabitation as a basis for legal marriage. (Bickford, Straf 3: Judiciary)  
54, K 137
- HB 372**, relative to state agency telecommunications services. (Cali-Pitts, Rock 30: Executive Departments and Administration)  
55, psd 227-228, 284, S conc 679, enr 703 (Chapter 30)
- HB 373**, establishing a right of discovery to a carrier's investigation of claims in workers' compensation cases. (Goley, Hills 8: Labor, Industrial and Rehabilitative Services)  
55, am 314, psd 392, S LT 931, S nonconc 999
- HB 374**, relative to electric utility investment in distributed energy resources. (Raymond, Belk 4; et al: Science, Technology and Energy)  
55, am 322-323, psd 392, S conc 704, enr 751 (Chapter 40)
- HB 375**, requiring certain health care organizations to report to the department of health and human services regarding implementation of New Hampshire's 10-year mental health plan. (J. MacKay, Merr 14: Health, Human Services and Elderly Affairs)  
55, psd 312, 392, S conc 704, enr 751 (Chapter 41)
- HB 376**, relative to the shop licensure requirements for barbers, cosmetologists, manicurists, and estheticians. (C. McGuire, Merr 29; et al: Executive Departments and Administration)  
55, am 172-173, psd 213, S conc 679, enr 703 (Chapter 31)
- HB 377**, relative to archeological investigations on private or public property. (Morrow, Carr 5; et al: Executive Departments and Administration)  
55, K 173
- HB 378**, requiring optometrists to warn parents about the progression of myopia when prescribing distance lenses for children. (Parison, Hills 25: Health, Human Services and Elderly Affairs)  
55, K 312
- HB 379**, prohibiting an employer from requiring an employee or prospective employee to disclose his or her social media passwords. (P. Sullivan, Hills 10; et al: Labor, Industrial and Rehabilitative Services)  
55, K 314
- HB 380-FN**, requiring disclosure of gifts and campaign contributions by lobbyists. (P. Sullivan, Hills 10; et al: Election Law)  
55, K 307
- HB 381**, relative to citizen complaints against a police officer. (Sapareto, Rock 6: Criminal Justice and Public Safety)  
55, K 507

- HB 382-FN**, reducing the nonresident fee for obtaining a license for a pistol or a revolver. (Lambert, Hills 44; et al: Criminal Justice and Public Safety)  
55, K (RC) 244-247
- HB 383**, relative to operation of OHRVs on the traveled portion of public highways, where permitted. (Theberge, Coos 3: Transportation)  
55, am 237-238, psd 284, conc S am 755, enr 818 (Chapter 75)
- HB 384**, requiring parental consent prior to a mental health examination in public schools. (Itse, Rock 10; et al: Education)  
55, K 171
- HB 385**, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. (Hess, Merr 24: Executive Departments and Administration)  
55, am 173-174, psd 213, nonconc S am, conf 824, 924, conferee change 928, rep adop 961, enr 984 (Chapter 252)
- HB 386**, establishing a committee to study streamlining inspections and licensing of businesses. (Lambert, Hills 44: Commerce and Consumer Affairs)  
55, K 288
- HB 387**, relative to immunity of guardians ad litem. (Lambert, Hills 44; et al: Judiciary)  
55, K (RC) 148-151
- HB 388**, relative to the storage of firearms. (C. McGuire, Merr 29; et al: Judiciary)  
55, psd (RC) 189-192, 213, S nonconc 818
- HB 389**, relative to discovery in misdemeanor and violation cases. (J. Belanger, Hills 27; et al: Criminal Justice and Public Safety)  
55, rem 286, SO 532, K 587
- HB 390**, allowing companion dogs in the outdoor areas of restaurants. (Keith Murphy, Hills 7; et al: Commerce and Consumer Affairs)  
55, am 489, psd (RC) 489-492, 533, S nonconc 795
- HB 391-FN**, relative to highway noise and establishing a commission to study options for mitigation of damages associated with highway noise. (Keith Murphy, Hills 7: Transportation)  
**new title:** establishing a committee to study options for mitigation of damages associated with highway noise.  
56, am 324, psd 392, conc S am 755, enr 818, committee appointments 1084 (Chapter 122)
- HB 392-FN**, relative to political contributions and expenditures and relative to reporting by political committees. (Perry, Straf 3; et al: Election Law)  
56, ret 1080
- HB 393**, relative to effluent limitations with regard to nitrogen and phosphorus. (Schroadter, Rock 17; et al: Resources, Recreation and Development)  
56, am 321, psd 392, S conc 704, enr 751 (Chapter 42)
- HB 394-FN**, relative to transfer of funds by the liquor commission. (D. McGuire, Merr 21: Finance)  
56, am 229, psd 284, S nonconc 818
- HB 395-FN**, relative to the prohibition on the use of state funds to hire lobbyists. (L. Ober, Hills 37; et al: Executive Departments and Administration)  
56, K 228
- HB 396**, establishing a committee to study requiring safety training or instruction prior to the purchase or acquisition of a firearm. (C. Sweeney, Sull 8; et al: Criminal Justice and Public Safety)  
56, K 302
- HB 397**, relative to state aid for wastewater and public water supply projects. (Buco, Carr 2; et al: Resources, Recreation and Development)  
56, ret 1080
- HB 398-FN**, relative to leave time for certain state employees. (C. McGuire, Merr 29; et al: Executive Departments and Administration)  
56, SO 532, K 555

- HB 399-FN**, establishing the New Hampshire liberty act. (Itse, Rock 10: State-Federal Relations and Veterans Affairs)  
56, SO 285, 348, am 348, psd (RC) 348-351, rules suspended & Criminal Justice and Public Safety 351, am & psd 535, 592, S nonconc 795
- HB 400**, relative to funding agreements issued by life insurance companies. (Butler, Carr 7; et al: Commerce and Consumer Affairs)  
56, am 289, psd 391, S conc 795, enr 921 (Chapter 108)
- HB 401**, relative to property and casualty insurers under the risk-based capital law. (Schlachman, Rock 18; et al: Commerce and Consumer Affairs)  
56, psd 289, 391, S conc 795, enr 921 (Chapter 110)
- HB 402**, relative to complaint investigation procedures of the guardian ad litem board. (Kappler, Rock 3; et al: Children and Family Law)  
56, K (RC) 142-145
- HB 403**, establishing a commission to study death with dignity for persons suffering from a terminal condition. (Weed, Ches 16; et al: Judiciary)  
**new title:** establishing a committee to study end of life decisions.  
56 am 192-193, psd 214, conc S am 848, enr 928, veto sustained (RC) 992-994
- HB 404-FN**, relative to earned time credits for inmates participating in rehabilitative programming. (Vaillancourt, Hills 15; et al: Criminal Justice and Public Safety)  
56, ret 1080
- HB 405**, establishing a committee to study issues related to children and families. (C. McGuire, Merr 29; et al: Children and Family Law)  
56, K 361
- HB 406**, relative to the availability of contribution information in lobbyist statements on the Internet. (P. Sullivan, Hills 10: Election Law)  
56, K 226
- HB 407**, relative to the penalty for making a false statement in a criminal complaint. (Itse, Rock 10: Criminal Justice and Public Safety)  
56, K 302
- HB 408**, establishing approved titles for articles of the New Hampshire Constitution. (Itse, Rock 10: Judiciary)  
56, K 175
- HB 409**, relative to the issuance of a default judgment in landlord-tenant actions. (Winters, Hills 18; et al: Judiciary)  
56, SO 285, K 334
- HB 410**, relative to the definition of gift received by an elected official, public official, public employee, or legislative employee. (Spang, Straf 6; et al: Legislative Administration)  
**new title:** establishing a commission to study and update the rules and procedures of the legislative ethics committee under RSA 14-B and the laws governing legislative ethics under RSA 15-B.  
56, am 316-317, psd 392, conc S am 821, enr 928, committee appointments 1085 (Chapter 211)
- HB 411-FN-A**, repealing a future reduction in vessel registration fees. (Huot, Belk 3; et al: Transportation)  
56, Ways and Means (RC) 269-271, psd (RC) 584-587, 592, S conc 795, enr 921 (Chapter 149)
- HB 412-FN**, relative to absentee voter applicant information. (Cordelli, Carr 4; et al: Election Law)  
56, K 307
- HB 413**, making relinquishment or abandonment of leased premises a defense for landlords. (Warden, Hills 39: Judiciary)  
**new title:** relative to property abandoned by tenants.  
56, am 232-234, psd 284, conc S am 848, enr am 931, enr 982 (Chapter 237)
- HB 414**, relative to privacy in the workplace. (K. Rogers, Merr 28; et al: Labor, Industrial and Rehabilitative Services)  
56, am 314-315, psd 392, nonconc S am, conf 922, 924, conferee change 926, no report filed 1079



- HB 415**, relative to ethics requirements for members of the general court. (Gionet, Graf 5; et al: Legislative Administration)  
56, ret 1080
- HB 416**, shortening the appeals process for a permitting decision under RSA 482-A, relative to fill and dredge in wetlands. (Ahlgren, Carr 6: Resources, Recreation and Development)  
57, psd 410, 478, S conc 679, enr 703 (Chapter 43)
- HB 417**, establishing a commission to study creating a New Hampshire plan for Alzheimer's disease. (Long, Hills 42: Health, Human Services and Elderly Affairs)  
57, K 230
- HB 418**, establishing a committee to study a program to address children in need. (Walz, Merr 23; et al: Children and Family Law)  
57, am 145, psd (RC) 145-148, 159, S conc 679, enr 703, committee appointments 1084 (Chapter 44)
- HB 419-FN**, establishing a deferred retirement option in the judicial retirement plan. (Hikel, Hills 6: Executive Departments and Administration)  
57, ret 1080
- HB 420**, establishing orange, red, and yellow as the state colors. (McConkey, Carr 3: Executive Departments and Administration)  
57, SO 532, LT 554-555
- HB 421**, relative to regulation of real estate brokerage and sales by the real estate commission. (D. Eaton, Ches 3: Executive Departments and Administration)  
57, ret 1080
- HB 422**, relative to the adoption, revision, and amendment of municipal charters. (F. Rice, Rock 21; et al: Municipal and County Government)  
57, ret 1080
- HB 423-L**, relative to amending official ballot warrant articles. (F. Rice, Rock 21; et al: Municipal and County Government)  
57, rem 170, SO 213, K (RC) 272-274
- HB 424-FN**, relative to review of chartered public school applications by the state board of education. (Boehm, Hills 20; et al: Education)  
57, ret 1080
- HB 425**, relative to bridge aid and highway block grants for class V roads in certain village districts. (Coffey, Hills 25; et al: Public Works and Highways)  
57, K 178
- HB 426**, relative to payment of costs and fees in guardianship cases. (Weber, Ches 1; et al: Judiciary)  
57, am 234, psd 284, S Com 921
- HB 427**, relative to tobacco tax laws. (Almy, Graf 13: Ways and Means)  
57, rcmt 209, ret 1080
- HB 428**, relative to funds for dam maintenance, removal and improvement. (Suzanne Smith, Graf 8; et al: Resources, Recreation and Development)  
57, am 235, psd 284, S conc 679, enr 703 (Chapter 45)
- HB 429**, relative to service of writs against cities. (K. Rogers, Merr 28: Municipal and County Government)  
57, psd 319, 392, S conc 704, enr 751 (Chapter 46)
- HB 430**, requiring insurance companies sending out solicitations for marketing purposes to include their insurance license number on such solicitations. (Chirichiello, Rock 6; et al: Commerce and Consumer Affairs)  
57, ret 1080
- HB 431-FN**, relative to witness tampering. (Pantelakos, Rock 25; et al: Criminal Justice and Public Safety)  
57, K 302

- HB 432-FN**, relative to health care costs for county and state inmates. (Pantelakos, Rock 25; et al: Health, Human Services and Elderly Affairs)  
57, am & Finance 230-232, am 576-577, psd 577, 592, S conc 704, enr 751 (Chapter 85)
- HB 433**, relative to procedures for juvenile delinquency petitions filed by a school district or school official and establishing a committee to study the children in need of services (CHINS) program. (Pitre, Straf 2: Children and Family Law)  
**new title**: relative to procedures for juvenile delinquency petitions filed by a school district or school official.  
57, am 286-287, psd 391, S conc 795, enr am 921, enr 928 (Chapter 198)
- HB 434-FN-A**, relative to renaming the business enterprise tax, capping the amount an employer is liable to pay under such tax, and annually reducing the rate of the tax. (Hoell, Merr 23; et al: Ways and Means)  
57, K 209-212
- HB 435-FN**, relative to funding for chartered public school pupils. (Weyler, Rock 13; et al: Education)  
57, ret 1080
- HB 436**, relative to governance of town libraries. (Weyler, Rock 13; et al: Municipal and County Government)  
57, K 198
- HB 437-FN-A**, relative to the road toll. (Weyler, Rock 13: Public Works and Highways)  
57, ret 1080
- HB 438**, relative to the appraisal of residences in an industrial or commercial zone. (Weyler, Rock 13; et al: Municipal and County Government)  
57, K 178
- HB 439-FN**, relative to weekly workers' compensation payments. (H. Richardson, Coos 4: Labor, Industrial and Rehabilitative Services)  
57, ret 1080
- HB 440**, relative to new hire reports to the department of employment security. (A. White, Graf 13: Labor, Industrial and Rehabilitative Services)  
57, am 234-235, psd 284, S conc 704, enr 751 (Chapter 47)
- HB 441**, making a capital appropriation for the construction of a monument commemorating the 400<sup>th</sup> anniversary of the discovery of the Isles of Shoals by John Smith. (Campbell, Hills 33; et al: Public Works and Highways)  
57, K 178-179
- HB 442**, prohibiting residency restrictions for registered sex offenders and offenders against children. (Robertson, Ches 6: Criminal Justice and Public Safety)  
58, psd 371, 393, nonconc S am, conf 824, 924, no report filed 1079
- HB 443-FN**, prohibiting prison privatization. (Robertson, Ches 6; et al: Criminal Justice and Public Safety)  
58, am 507-508, LT rej (RC) 508-510, psd (RC) 510-513, 533, conflict of interest declaration 513, S nonconc 704
- HB 444**, establishing a committee to study the use of autonomous vehicles in New Hampshire. (Hikel, Hills 6: Transportation)  
58, psd 238, 284, S nonconc 598
- HB 445-FN-L**, allowing public employers in the state to buy into the state health insurance plan. (Hammond, Hills 24; et al: Executive Departments and Administration)  
58, K 249
- HB 446**, relative to the amount of the optional property tax credit for service-connected total disability. (Schroadt, Rock 17: Municipal and County Government)  
58, K 178
- HB 447**, relative to annulment of criminal records. (Hikel, Hills 6: Criminal Justice and Public Safety)  
58, K 302
- HB 448**, making changes to state representative districts. (P. Schmidt, Straf 19; et al: Election Law)  
58, K (RC) 381-384

- HB 449**, relative to the application process for a certificate for an energy facility. (Ladd, Graf 4; et al: Science, Technology and Energy)  
58, ret 1080
- HB 450-FN**, relative to the annulment of criminal records. (Winters, Hills 18: Criminal Justice and Public Safety)  
58, psd 302, 392, conc S am 754, enr 818 (Chapter 123)
- HB 451-FN**, repealing the license requirement for carrying a concealed pistol or revolver. (Hoell, Merr 23; et al: Criminal Justice and Public Safety)  
58, SO 513, 532, K (RC) 550-552
- HB 452**, relative to Food and Drug Administration approval of medication, equipment, and therapies. (Hoell, Merr 23: Health, Human Services and Elderly Affairs)  
58, SO 285, K 333
- HB 453**, repealing the prospective repeal of the information and analysis center. (Kurk, Hills 2: Criminal Justice and Public Safety)  
58, SO 285, psd 327, 393, conflict of interest declaration 327, S conc 795, enr 921 (Chapter 150)
- HB 454**, requiring consent prior to the installation of smart meters. (Kurk, Hills 2: Science, Technology and Energy)  
58, SO 391, K (RC) 418-421
- HB 455**, establishing a committee to study the use of a cash balance retirement plan for new state employees. (Kurk, Hills 2: Executive Departments and Administration)  
58, SO 532, LT rej 564-565, K 565
- HB 456-FN**, relative to liquor manufacturers. (Peckham, Rock 22; et al: Commerce and Consumer Affairs)  
58, ret 1080
- HB 457**, establishing a committee to study eliminating and combining liquor licenses. (Ulery, Hills 37: Commerce and Consumer Affairs)  
58, K 289
- HB 458**, relative to resisting arrest. (Lambert, Hills 44; et al: Criminal Justice and Public Safety)  
58, K (RC) 371-374
- HB 459**, relative to poker games and charitable gaming. (Lambert, Hills 44: Ways and Means)  
58, ret 1080
- HB 460-L**, relative to amending the default budget in towns that use official ballot voting. (Lambert, Hills 44; et al: Municipal and County Government)  
58, K 319
- HB 461-FN**, relative to long-term care services. (Donovan, Sull 4: Health, Human Services and Elderly Affairs)  
58, ret 1080
- HB 462-FN**, relative to an independent review process under the medical assistance program. (Donovan, Sull 4; et al: Health, Human Services and Elderly Affairs)  
58, ret 1080
- HB 463-FN**, requiring property managers to be certified. (LeBrun, Hills 32; et al: Executive Departments and Administration)  
58 K 309
- HB 464**, establishing a procedure for removal of condominium board members. (LeBrun, Hills 32: Commerce and Consumer Affairs)  
59, K 222-223
- HB 465**, repealing New Hampshire's atomic energy policy. (Backus, Hills 19; et al: Science, Technology and Energy)  
59, SO 391, rcmt 414, ret 1081
- HB 466-FN**, relative to determining qualifications of voters. (Long, Hills 42: Election Law)  
59, ret 1081

- HB 467**, relative to purchasing alliances. (D. McGuire, Merr 21: Commerce and Consumer Affairs)  
59, K (RC) 492-494
- HB 468**, establishing a committee to study wine purchasing and pricing. (D. McGuire, Merr 21: Commerce and Consumer Affairs)  
59, K 494-495
- HB 469**, relative to time limits for regulatory boards and commissions to hold disciplinary proceedings. (C. McGuire, Merr 29: Executive Departments and Administration)  
59, ret 1081
- HB 470**, establishing a task force to determine the effects of the recession on child and family programs. (Donovan, Sull 4; et al: Children and Family Law)  
59, K 287
- HB 471**, establishing a commission to study dual enrollment programs. (Roberts, Ches 4: Education)  
59, rem 170, SO 213, K 271-272
- HB 472**, relative to residential units in rooming houses. (Long, Hills 42: Commerce and Consumer Affairs)  
59, SO 285, psd 326-327, 392, nonconc S am, conf 824, 924, rep adop (RC) 962-964, enr 984 (Chapter 253)
- HB 473-FN**, relative to retirement system status for members of the university system police force. (D. Sullivan, Hills 42; et al: Executive Departments and Administration)  
59, ret 1081
- HB 474**, relative to eligibility for in-state tuition rates at the university system of New Hampshire. (P. Schmidt, Straf 19: Education)  
59, ret 1081
- HB 475**, relative to the timing of the release of patients from New Hampshire hospital. (Sandblade, Hills 18; et al: Health, Human Services and Elderly Affairs)  
59, K 312
- HB 476**, relative to medical care price disclosure and transparency. (Marilinda Garcia, Rock 8; et al: Health, Human Services and Elderly Affairs)  
59, ret 1081
- HB 477-FN**, relative to differential pay for certain state employees providing direct care to inmates and patients. (Cushing, Rock 21; et al: Labor, Industrial and Rehabilitative Services)  
59, psd 457, 478, conflict of interest declaration 457, S conc 921, enr 928 (Chapter 199)
- HB 478-FN**, requiring the department of health and human services to license supervised visitation centers. (Oligny, Rock 34: Executive Departments and Administration)  
59, K 310
- HB 479-FN-L**, relative to the creation and division of school districts. (Hoell, Merr 23: Education)  
59, rem 221, K (RC) 277-280
- HB 480-FN**, relative to solitary confinement. (Robertson, Ches 6; et al: Criminal Justice and Public Safety)  
59, ret 1081
- HB 481-FN**, limiting the state's authority to seek reimbursement for public assistance. (Hackel, Hills 29: Health, Human Services and Elderly Affairs)  
59, am 406-407, psd 478, conc S am 848, enr 928 (Chapter 212)
- HB 482-FN**, regarding infestation of bed bugs in rental housing. (Long, Hills 42: Judiciary)  
59, psd 193-194, 214, S conc 680, enr 703 (Chapter 48)
- HB 483-FN**, relative to information regarding abortion. (Cormier, Belk 8; et al: Judiciary)  
59, SO 285, K (RC) 334-337
- HB 484-FN-L**, requiring public approval prior to issuance of certain site evaluation certificates. (Kurk, Hills 2; et al: Science, Technology and Energy)  
59, ret 1081
- HB 485-FN-A**, establishing keno. (Keith Murphy, Hills 7; et al: Ways and Means)  
59, ret 1081

- HB 486-FN-A**, making an appropriation for the purpose of paying residential care providers at the Chase Home for Children. (Nordgren, Graf 12; et al: Finance)  
59, SO 285, psd 331, 393, S conc 679, enr 703 (Chapter 12)
- HB 487-FN**, relative to refunds for tobacco tax stamps. (Almy, Graf 13: Ways and Means)  
59, K 325
- HB 488-FN**, changing the definition of “cigarette” under the tobacco tax to match the definition of “cigarette” under the Master Settlement Agreement. (Almy, Graf 13: Ways and Means)  
59, am 238, psd 284, conc S am 706, enr 751 (Chapter 35)
- HB 489-FN**, relative to the New Hampshire medical malpractice joint underwriting association. (John Hunt, Ches 11; et al: Commerce and Consumer Affairs)  
59, am 289-291, psd 392, S Com 795
- HB 490-FN-A**, relative to the tax on tobacco products other than cigarettes and establishing a tobacco use prevention and cessation program fund. (Butynski, Ches 1; et al: Ways and Means)  
59, ret 1081
- HB 491-FN**, relative to New Hampshire farm wineries. (Sad, Ches 1: Environment and Agriculture)  
59, ret 1081
- HB 492-FN-L**, relative to the legalization and regulation of marijuana. (Vaillancourt, Hills 15; et al: Criminal Justice and Public Safety)  
60, ret 1081
- HB 493-FN**, relative to emergency compacts. (Peterson, Hills 21; et al: State-Federal Relations and Veterans Affairs)  
60, ret 1081
- HB 494**, relative to the administration of glucagon injections for pupils. (Parison, Hills 25; et al: Health, Human Services and Elderly Affairs)  
60, ret 1081
- HB 495-FN**, relative to titles for motor vehicles. (Cooney, Graf 8; et al: Transportation)  
60, ret 1081
- HB 496-FN**, relative to driving privileges for certain first-time DWI offenders. (Shurtleff, Merr 11: Criminal Justice and Public Safety)  
60, ret 1081
- HB 497**, relative to negligent treatment of animals. (Cebrowski, Hills 7; et al: Environment and Agriculture)  
60, K 171
- HB 498**, permitting the use of firearms by military or veterans groups in the compact part of a town for military or veterans events, or national holidays. (J. Belanger, Hills 27; et al: Criminal Justice and Public Safety)  
60, SO 285, rcmt 327-328, ret 1081
- HB 499**, establishing a commission to study funding mechanisms for increasing the number of mental health beds statewide. (Gidge, Hills 33: Health, Human Services and Elderly Affairs)  
60, K 312
- HB 500**, requiring the department of safety to maintain a division of motor vehicles driver licensing and registration office in Belknap county. (Luther, Belk 3; et al: Transportation)  
60, K 238
- HB 501-FN**, relative to the minimum wage. (Horrigan, Straf 6; et al: Labor, Industrial and Rehabilitative Services)  
**new title:** instituting a state minimum hourly rate.  
60, am (RC) 385-389, psd (RC) 389-391, 393, S nonconc 795
- HB 502**, relative to protection of persons from domestic violence. (Itse, Rock 10; et al: Criminal Justice and Public Safety)  
60, K 302-303
- HB 503**, relative to arrests for domestic violence. (Itse, Rock 10; et al: Criminal Justice and Public Safety)  
60, K 303

- HB 504**, relative to official oppression. (Itse, Rock 10; et al: Criminal Justice and Public Safety)  
60, K 303
- HB 505**, relative to the economic development advisory council. (Cebrowski, Hills 7: Commerce and Consumer Affairs)  
60, am 397, psd 477, conc S am 754, enr 921, veto sustained (RC) 995-997
- HB 506**, relative to certain time periods for adoption and amendment of town codes and ordinances. (Daniels, Hills 40: Municipal and County Government)  
**new title:** relative to certain time periods for adoption and amendment of town codes and ordinances and permitting the town of Derry to combine the positions of tax collector and treasurer.  
**2nd new title:** relative to certain time periods for adoption and amendment of town codes and ordinances, permitting the town of Derry to combine the positions of tax collector and treasurer, and dissolving the police commission for the town of Hooksett.  
60, psd 319, 392, conc S am 797, enr 818 (Chapter 70)
- HB 507-FN**, relative to the maximum permit application fee for certain municipal dredging projects. (Daniels, Hills 40; et al: Resources, Recreation and Development)  
60, am & Ways and Means 181, psd 537, 592, S conc 795, enr 921 (Chapter 151)
- HB 508**, relative to idling by diesel locomotives. (Major, Rock 14; et al: Science, Technology and Energy)  
60, am 465-466, conflict of interest declaration 466, psd 466, 478, S nonconc 795
- HB 509**, requiring the department of administrative services to provide the New Hampshire Department of American Legion with office space. (Graham, Hills 7; et al: Public Works and Highways)  
**new title:** requiring the department of administrative services to provide the American Legion Department of New Hampshire with office space.  
60, am 179, psd 213, S conc 680, enr am 703, enr 703 (Chapter 49)
- HB 510**, relative to backflow prevention valves. (Emerick, Rock 21; et al: Resources, Recreation and Development)  
60, am 410, psd 478, S conc 704, enr 751 (Chapter 50)
- HB 511-FN**, relative to insurance holding companies. (Schlachman, Rock 18; et al: Commerce and Consumer Affairs)  
60, am 291-292, psd 392, S conc 795, enr 925 (Chapter 152)
- HB 512**, relative to the power of a peace officer to make an arrest without a warrant. (Itse, Rock 10: Criminal Justice and Public Safety)  
60, K 374
- HB 513**, relative to the shoreland protection act. (Spang, Straf 6; et al: Resources, Recreation and Development)  
60, am 321-322, psd 392, conc S am 755, enr 921 (Chapter 153)
- HB 514**, permitting members of the general court to receive ski passes for Cannon Mountain ski area. (Coulombe, Coos 3; et al: Legislative Administration)  
60, K 197
- HB 515**, relative to requirements for whitewater guides. (Coulombe, Coos 3; et al: Resources, Recreation and Development)  
60, K 410
- HB 516**, establishing a committee to study the overlap of federal, state, and local regulation relative to environmental issues. (Cebrowski, Hills 7; et al: Resources, Recreation and Development)  
60, psd 322, 392, S conc 680, enr 703, committee appointments 1084 (Chapter 51)
- HB 517**, relative to the incidental combustion of untreated wood at certain municipal transfer stations. (Chandler, Carr 1; et al: Science, Technology and Energy)  
61, psd 323, 392, S conc 680, enr 703 (Chapter 52)
- HB 518**, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit. (Baldasaro, Rock 5; et al: State-Federal Relations and Veterans Affairs)  
61, am 411, psd 478, nonconc S am, conf 923, 925, rep adop 964, enr 984 (Chapter 254)

- HB 519**, requiring the division of higher education to develop a policy on academic credit for a student's military occupation, military training, coursework, and experience. (Baldasaro, Rock 5; et al: Education)  
61, psd 225, 284, S conc 680, enr 703 (Chapter 53)
- HB 520**, establishing a committee to study implementing Keno in New Hampshire. (Baldasaro, Rock 5; et al: Ways and Means)  
61, psd 238-239, 285, S LT 818, S nonconc 999
- HB 521**, establishing a committee to study New Hampshire election laws and procedures. (Hoelzel, Rock 3; et al: Election Law)  
61, psd 226-227, 284, conc S am 848, enr 928, committee appointments 1084 (Chapter 220)
- HB 522**, relative to duties of town treasurers. (M. Mann, Rock 32; et al: Municipal and County Government)  
61, psd 319, 392, conc S am 755, enr 818 (Chapter 124)
- HB 523-FN**, relative to voluntary certification for road salt applicators. (O'Connor, Rock 6; et al: Resources, Recreation and Development)  
61, ret 1081
- HB 524**, relative to national guard facilities, the national guard scholarship fund, and the state active duty death benefit. (Major, Rock 14; et al: State-Federal Relations and Veterans Affairs)  
61, am & Public Works and Highways 235-236, psd 536, 592, nonconc S am, conf 923, 925, rep adop 964, enr am 985, enr 987, committee amended 1083 (Chapter 255)
- HB 525-FN**, raising the age of minority for juvenile delinquency proceedings from 17 to 18 years of age. (Bickford, Straf 3: Children and Family Law)  
61, ret 1081
- HB 526-FN**, relative to a reinsurance mechanism for the individual health insurance market. (Butler, Carr 7: Commerce and Consumer Affairs)  
**new title:** relative to termination of activities and dissolution of the association created under RSA 404-G.  
61, am 292-293, psd 392, conc S am 820, enr 928 (Chapter 200)
- HB 527**, repealing the exotic aquatic weeds and species committee. (Kappler, Rock 3; et al: Resources, Recreation and Development)  
61, rem 286, SO 532, K 588
- HB 528**, relative to support and care costs for children with disabilities. (Parison, Hills 25; et al: Health, Human Services and Elderly Affairs)  
61, am 312-313, psd 392, conc S am 820, enr 928 (Chapter 201)
- HB 529**, relative to the regulation of health clubs. (C. McGuire, Merr 29; et al: Commerce and Consumer Affairs)  
61, ret 1081
- HB 530-FN**, relative to annual reporting requirements for business entities. (D. McGuire, Merr 21: Commerce and Consumer Affairs)  
61, K (RC) 495-497
- HB 531**, allowing towns and cities to exempt farm buildings and structures from property taxation. (Pastor, Graf 12: Municipal and County Government)  
61, K 319
- HB 532**, relative to energy efficiency and clean energy districts. (Pastor, Graf 12; et al: Municipal and County Government)  
61, rcmt 414, ret 1081
- HB 533**, relative to the mathematics requirement for high school graduation. (Ladd, Graf 4: Education)  
62, ret 1081
- HB 534**, establishing a commission to study the sale of naming rights for certain structures. (D. McGuire, Merr 21; et al: Public Works and Highways)  
62, ret 1081

- HB 535**, establishing the white potato as the state vegetable. (O'Connor, Rock 6; et al: Environment and Agriculture)  
62, SO & psd 182, 213, S conc 704, enr 751 (Chapter 54)
- HB 536**, revising the child support guidelines based on foster care reimbursement rates. (Oigny, Rock 34; et al: Children and Family Law)  
62, K 483
- HB 537**, establishing a commission to study the feasibility of developing an industrial cooperative program for science, technology, engineering, and manufacturing programs at the university of New Hampshire. (Murotake, Hills 32; et al: Education)  
62, K 225
- HB 538**, relative to the calculation of child support based on residential responsibility. (Oigny, Rock 34; et al: Children and Family Law)  
62, K 483
- HB 539**, relative to enforcement of child support orders. (Oigny, Rock 34; et al: Children and Family Law)  
62, K 361
- HB 540-FN-A**, establishing a credit against business profits taxes for motion picture production expenditures in New Hampshire. (Goley, Hills 8: Ways and Means)  
62, ret 1081
- HB 541**, relative to city charters. (Berube, Straf 18: Municipal and County Government)  
62, K 319
- HB 542**, relative to electric renewable portfolio standards. (Kaen, Straf 5; et al: Science, Technology and Energy)  
**new title:** relative to the renewable energy fund and regulation of telephone, Voice Over Internet Protocol, and IP-enabled service providers.  
**2nd new title:** relative to the renewable energy fund and regulation of telephone, Voice Over Internet Protocol, and IP-enabled service providers and relative to electric renewable portfolio standards.  
62, am 466, psd 478, nonconc S am, conf 923-924, 925, rep adop 964, enr am 985, enr 987, committee appointments 1084 (Chapter 279)
- HB 543**, relative to ascertaining damages to abutting landowners. (Aguiar, Graf 7; et al: Judiciary)  
62, am 175, psd 213, S conc 598, enr 679 (Chapter 16)
- HB 544**, repealing the prohibition on a state-based health exchange. (Butler, Carr 7: Commerce and Consumer Affairs)  
62, ret 1081
- HB 545**, relative to rafting of boats. (Burt, Hills 6; et al: Resources, Recreation and Development)  
62, ret 1081
- HB 546**, relative to medical examinations under workers' compensation. (Goley, Hills 8; et al: Labor, Industrial and Rehabilitative Services)  
62, am 315-316, psd 392, nonconc S am, conf 824, 925, rep adop 965, enr 984 (Chapter 256)
- HB 547**, establishing a commission to study permanent options for funding the veterinary diagnostic laboratory. (Haefner, Hills 37; et al: Environment and Agriculture)  
62, psd 172, 213, S conc 704, enr 751, committee appointments 1087 (Chapter 99)
- HB 548**, relative to ethics requirements and procedures for legislators and legislative employees. (Jasper, Hills 37; et al: Legislative Administration)  
62, ret 1081
- HB 549**, establishing a committee to study a constitutional amendment to prevent dedicated funding for a specific purpose from being diverted from that purpose. (Bixby, Straf 17; et al: Ways and Means)  
62, rem 286, SO 532, K 588
- HB 550**, relative to the disposition of state-owned real estate. (Graham, Hills 7; et al: Public Works and Highways)  
62, am 179-180, psd 213, S nonconc 704



- HB 551**, establishing a commission to study the establishment of a paid family leave insurance program, contingent on the availability of federal funds to be administered through the department of employment security and supported by a payroll deduction or other revenue source. (Gile, Merr 27; et al: Children and Family Law)  
**new title:** relative to the composition and duties of the task force on work and family.  
62, am 361-362, psd 393, conc S am 754, enr 818, committee appointments 1086 (Chapter 111)
- HB 552**, relative to child support expenditures. (Johnson, Ches 12; et al: Children and Family Law)  
62, K 362
- HB 553**, establishing New Hampshire anti-bullying day. (Schlachman, Rock 18; et al: Education)  
62, K 304
- HB 554**, allowing parents to agree on college contributions. (Gargas, Hills 27; et al: Children and Family Law)  
62, am 362-363, psd 393, S conc 795, enr 921 (Chapter 154)
- HB 555**, relative to the content of fiscal notes for bills. (Leishman, Hills 24; et al: Legislative Administration)  
62, K 235
- HB 556**, establishing a committee to study the resolution of barriers to the use of telehealth technology in New Hampshire. (J. MacKay, Merr 14; et al: Health, Human Services and Elderly Affairs)  
62, am 313, psd 392, conc S am 706, enr am 796, enr 818, committee appointments 1084 (Chapter 112)
- HB 557**, establishing a committee to study the financial assistance program for needy families (FANF) and state supplemental programs (SSP) for the needy blind, permanently and totally disabled, and old age assistance. (J. MacKay, Merr 14; et al: Health, Human Services and Elderly Affairs)  
63, K 313
- HB 558**, relative to disclosure of information regarding charitable solicitations. (Kurk, Hills 2: Executive Departments and Administration)  
63, am 228, psd 284, S conc 704, enr 751 (Chapter 55)
- HB 559**, relative to the general banking laws of the state. (Butler, Carr 7: Commerce and Consumer Affairs)  
**new title:** relative to the general banking laws of the state and relative to electronic funds transfers.  
63, am 293-299, psd 392, S LT 931, conc S am 848, enr am 929, enr 981 (Chapter 238)
- HB 560**, repealing the board of trust company incorporation. (Butler, Carr 7: Commerce and Consumer Affairs)  
63, psd 300, 392, S conc 680, enr 703 (Chapter 56)
- HB 561-FN**, abolishing the department of cultural resources. (Vaillancourt, Hills 15; et al: Executive Departments and Administration)  
63, rem 221, K (RC) 275-277
- HB 562**, relative to the interest rate on title loans. (Butler, Carr 7; et al: Commerce and Consumer Affairs)  
63, ret 1081
- HB 563-FN-L**, relative to tuition and transportation payments for students attending a vocational education program. (Christiansen, Hills 37: Education)  
63, K 225
- HB 564-FN**, relative to simulcast greyhound races. (Vaillancourt, Hills 15; et al: Ways and Means)  
63, SO 285, K (RC) 353-356
- HB 565**, relative to actions under the consumer protection law. (Schlachman, Rock 18; et al: Commerce and Consumer Affairs)  
63, ret 1081
- HB 566**, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas. (Schlachman, Rock 18; et al: Commerce and Consumer Affairs)  
63, ret 1081

- HB 567**, relative to identification of publicly owned vehicles. (Theberge, Coos 3; et al: Transportation)  
63, K 324-325
- HB 568**, requiring new elective transmission lines in New Hampshire to be buried. (Rappaport, Coos 1; et al: Science, Technology and Energy)  
63, ret 1081
- HB 569**, relative to the placement of all new electric transmission lines in New Hampshire. (Rappaport, Coos 1; et al: Science, Technology and Energy)  
63, ret 1081
- HB 570-FN**, relative to school building aid grant eligibility for the White Mountain Regional school district. (H. Richardson, Coos 4; et al: Education)  
63, Finance 247-248, conflict of interest declaration 248, 534, K 536
- HB 571**, establishing a task force to study and make recommendations on the judicial branch family court division. (Schlachman, Rock 18; et al: Children and Family Law)  
63, K 363
- HB 572**, establishing a commission to study public-private partnerships for the treatment of abused and neglected children. (Schlachman, Rock 18; et al: Children and Family Law)  
63, ret 1081
- HB 573-FN**, relative to the use of marijuana for medicinal purposes. (Schlachman, Rock 18; et al: Health, Human Services and Elderly Affairs)  
**new title:** relative to the use of cannabis for therapeutic purposes.  
63, am 431-447, psd (RC) 447-450, 478, nonconc S am, conf 824, 925, rep adop (RC) 965-967, enr am 985-986, enr 987, committee appointments 1086 (Chapter 242)
- HB 574**, increasing the size limitations for OHRVs operating on state-owned trails. (Theberge, Coos 3; et al: Resources, Recreation and Development)  
**new title:** increasing the size limitations for OHRVs operating on state-owned trails in Coos and Grafton counties.  
63, am 410-411, psd 478, S conc 747, enr 751 (Chapter 32)
- HB 575**, relative to hours of sales of on-premises liquor licensees. (Warden, Hills 39; et al: Commerce and Consumer Affairs)  
63, am 497-498, psd (RC) 498-500, 533, conc S am 820, enr 928 (Chapter 213)
- HB 576**, establishing Franklin Pierce Day. (Patten, Merr 17; et al: Executive Departments and Administration)  
63, SO 285, LT 331
- HB 577-FN**, relative to responsibility for hazardous materials accidents. (A. White, Graf 13; et al: Judiciary)  
63, K 175
- HB 578**, relative to the determination of parental rights based on the best interest of the child. (Oigny, Rock 34; et al: Children and Family Law)  
63, LT rej (RC) 483-486, K (RC) 486-488
- HB 579**, establishing an independent legislative redistricting commission. (P. Sullivan, Hills 10; et al: Election Law)  
64, K 307
- HB 580**, establishing moratoriums on wind turbine plants and electric transmission line projects. (Reilly, Graf 9; et al: Science, Technology and Energy)  
64, ret 1081
- HB 581-FN-L**, relative to recovering moneys from a neighboring state for mitigation of flooding. (Ratzki, Merr 1; et al: Ways and Means)  
64, am 325, psd 392, S conc 795, enr 921 (Chapter 155)
- HB 582**, repealing early offers for medical injury claims. (Weber, Ches 1; et al: Judiciary)  
64, ret 1081
- HB 583**, relative to proceedings of medical injury claims screening panels. (Weber, Ches 1; et al: Judiciary)  
64, SO 285, am & conflict of interest declaration 337, psd 393, S Com 795

- HB 584**, relative to covered prescription drugs. (Rosenwald, Hills 30; et al: Health, Human Services and Elderly Affairs)  
64, rcmt 413, ret 1081
- HB 585**, relative to insurance parity for optometrists. (Schlachman, Rock 18; et al: Commerce and Consumer Affairs)  
64, ret 1081
- HB 586**, establishing a one-year moratorium on applications for certificates for electric transmission facilities. (Suzanne Smith, Graf 8; et al: Science, Technology and Energy)  
64, ret 1081
- HB 587**, relative to medical examination requirements for commercial drivers' licenses. (Tasker, Rock 2; et al: Transportation)  
64, ret 1081
- HB 588**, extending the instream flow pilot program for 2 years. (Spang, Straf 6; et al: Resources, Recreation and Development)  
**new title:** extending the instream flow pilot program for 2 years and extending the commission to study water infrastructure sustainability funding.  
**2nd new title:** extending the instream flow pilot program for 2 years and establishing a commission to study opportunities and options to improve the sustainability of the fish and game department.  
64, psd 459, 478, conc S am 848, enr am 931, enr 981, final committee report dates extended 1083, committee appointments 1086 (Chapter 241)
- HB 589**, relative to a selectman serving on the school board. (Weyler, Rock 13; et al: Municipal and County Government)  
64, K 319
- HB 590**, relative to the unauthorized practice of law. (Souza, Hills 43; et al: Judiciary)  
64, rcmt rej (RC) 194-196, conflict of interest declaration 196, LT 196, remove from table, rcmt & conflict of interest declaration 253, ret 1081
- HB 591**, relative to an abusive work environment and the health and safety of public employees. (Schuett, Merr 20; et al: Labor, Industrial and Rehabilitative Services)  
64, am 407-409, psd 478, S Com 704
- HB 592-FN**, regulating the use of electronic tracking devices. (Kurk, Hills 2; et al: Commerce and Consumer Affairs)  
65, ret 1081
- HB 593**, establishing a committee to study extending the due date for final property tax bills. (Tucker, Rock 23; et al: Municipal and County Government)  
65, K 320
- HB 594-FN**, relative to the general consumer credit laws of the state. (Walz, Merr 23: Commerce and Consumer Affairs)  
**new title:** relative to the general consumer credit laws of the state and making a technical correction.  
**2nd new title:** relative to the general consumer credit laws of the state making a technical correction, and relative to a town clerk and tax collector electing to be a member in the retirement system.  
**3rd new title:** relative to the general consumer credit laws of the state, making a technical correction, and relative to a town clerk and tax collector electing to be a member in the retirement system.  
65, am 397-403, psd 477, nonconc S am, conf 924, 925, rep adop 967, enr am 986, enr 987 (Chapter 257)
- HB 595-FN**, relative to photo identification of voters. (Weber, Ches 1; et al: Election Law)  
65, psd (2RCs) 522-528, 533, nonconc S am, conf 851, 925, conferee change 926, rep adop (RC) 967-970, enr 984 (Chapter 278)
- HB 596-FN-L**, relative to service of notice of civil actions. (Vaillancourt, Hills 15: Judiciary)  
65, SO 285, K 338
- HB 597-FN**, relative to mandatory drug testing for certain health care workers. (Copeland, Rock 19; et al: Health, Human Services and Elderly Affairs)  
65, ret 1081

- HB 598**, relative to the reasonable compensation deduction under the business profits tax. (Hess, Merr 24: Ways and Means)  
65, psd 325, 392, S conc 680, enr 703 (Chapter 71)
- HB 599-FN**, relative to establishing a single liquor commissioner. (Marilinda Garcia, Rock 8; et al: Executive Departments and Administration)  
65, am 384, psd 393, nonconc S am, conf 824, 925, rep adop 970, enr 984 (Chapter 258)
- HB 600-FN**, relative to voter registration. (Weber, Ches 1; et al: Election Law)  
65, ret 1081
- HB 601**, requiring ballot measures to be in plain English. (Tremblay, Rock 4: Election Law)  
65, K 227
- HB 602**, establishing a committee to study general court policies and procedures relative to persons with disabilities. (Patten, Merr 17; et al: Legislative Administration)  
**new title:** establishing a commission to study general court policies and procedures relative to persons with disabilities.  
65, am 176-177, psd 213, conc S am 821, enr 928, committee appointments 1085 (Chapter 217)
- HB 603-FN**, relative to the administration of the university system of New Hampshire. (Parsons, Straf 1; et al: Education)  
65, LT rej 518, K 518-519
- HB 604**, relative to alimony. (Abrami, Rock 19; et al: Children and Family Law)  
65, K 287
- HB 605**, requiring the supreme court to adopt rules of evidence for the judicial branch family division. (Abrami, Rock 19; et al: Judiciary)  
65, K 197
- HB 606-FN**, relative to community rating. (D. McGuire, Merr 21: Commerce and Consumer Affairs)  
65, K 500-501
- HB 607**, relative to construction projects for the adjutant general's department. (Graham, Hills 7; et al: Public Works and Highways)  
65, am 180, psd 213, S conc 704, enr 751 (Chapter 86)
- HB 608**, relative to the slaughter of poultry and rabbits. (C. McGuire, Merr 29; et al: Environment and Agriculture)  
65, ret 1081
- HB 609**, relative to possession of a firearm on school property. (Itse, Rock 10; et al: Criminal Justice and Public Safety)  
65, K 303
- HB 610-FN**, relative to attorney's fees and costs in an action against a governmental unit for false arrest. (Itse, Rock 10; et al: Judiciary)  
65, K 384
- HB 611**, clarifying the equity jurisdiction of the judicial branch family division. (Itse, Rock 10; et al: Judiciary)  
65, K 197
- HB 612**, requiring a disclosure statement by persons seeking a party's nomination for elective office. (Tremblay, Rock 4: Election Law)  
65, K 227
- HB 613-FN**, relative to procedures and authority for the redress of grievances. (Tremblay, Rock 4: Legislative Administration)  
66, K 235
- HB 614-FN**, limiting the authorization for new annual general fund-supported debt. (Kurk, Hills 2; et al: Finance)  
66, SO 285, K 331
- HB 615-FN-A**, relative to the New Hampshire national guard recruitment and retention scholarship fund and making an appropriation therefor. (Baldasaro, Rock 5; et al: Education/Finance)  
66, Finance 248, LT 577-578

- HB 616-FN**, relative to the enforcement of false swearing and perjury in official matters. (Oigny, Rock 34; et al: Criminal Justice and Public Safety)  
66, K 303
- HB 617-FN-A-L**, increasing the rate of the road toll, increasing the vehicle registration fee, and establishing the New Hampshire state and municipal road and bridge account. (Campbell, Hills 33; et al: Public Works and Highways)  
**new title:** increasing the rate of the road toll and establishing the New Hampshire state and municipal road and bridge account.  
**2nd new title:** increasing the rate of the road toll, establishing the New Hampshire state and municipal road and bridge account, and establishing the commission to study revenue alternatives to the road toll.  
66, am 254-256, LT rej (RC) 256- 258, Ways and Means (2RCs) 258-264, SO 555, am (RC) 555-562, psd (RC) 562-564, 592, S IP 795
- HB 618**, relative to disclosure of annulled criminal records. (Hoell, Merr 23: Criminal Justice and Public Safety)  
66, ret 1081
- HB 619-FN**, prohibiting images of a person's residence to be taken from the air. (Kurk, Hills 2: Criminal Justice and Public Safety)  
66, LT 374-376, remove from table & SO 517, 532, LT 552-554
- HB 620-FN-L**, relative to the adjustment of member and employer contribution rates in the retirement system. (Weyler, Rock 13; et al: Executive Departments and Administration)  
66, K 310
- HB 621-FN**, decriminalizing possession of less than one ounce of marijuana. (Tasker, Rock 2: Criminal Justice and Public Safety)  
**new title:** decriminalizing possession of one quarter of an ounce or less of marijuana.  
66, am (RC) 513-517, psd 517, 533, S nonconc 704
- HB 622**, establishing a committee to study state house security. (Patten, Merr 17: Legislative Administration)  
66, K 197
- HB 623-FN-A**, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program. (Buco, Carr 2; et al: Finance)  
66, SO 285, K 331-332
- HB 624-FN**, waiving the residency requirement for in-state tuition rates for veterans attending the university system of New Hampshire. (Baldasaro, Rock 5; et al: Education)  
66, am 519, psd 519, 533, S Com 704
- HB 625-FN**, relative to oversight of guardians ad litem by the guardian ad litem board. (Kappler, Rock 3; et al: Children and Family Law)  
66, K 242-243
- HB 626**, prioritizing school building aid funds for a high school in which accreditation is probationary or has been revoked. (Cloutier, Sull 10; et al: Education)  
66, K 225-226
- HB 627-FN**, requiring unused vacation and sick leave to be converted to service time for purposes of calculating retirement system benefits. (D. McGuire, Merr 21; et al: Executive Departments and Administration)  
66, ret 1081
- HB 628-FN**, relative to underground storage tank and above ground storage tank certification. (Worsman, Belk 2; et al: Resources, Recreation and Development)  
66, K 268-269
- HB 629-FN**, relative to designation as a high performance school for the purpose of qualifying for additional school building aid grants. (Ladd, Graf 4; et al: Education)  
**new title:** relative to the criteria for approving and calculating school building aid grants.  
66, am 304, psd 392, S conc 680, enr 703 (Chapter 239)

- HB 630-FN**, repealing the New Hampshire regional greenhouse gas initiative program. (Barry, Hills 21: Science, Technology and Energy)  
**new title:** relative to the use of proceeds from the regional greenhouse gas initiative program.  
66, SO 391, am (RC) 421-424, conflict of interest declaration 424, 823, psd 478, conc S am 823, enr 928 (Chapter 240)
- HB 631-FN-L**, requiring school boards to establish a policy allowing parents to send their children to an out-of-district school. (Hikel, Hills 6; et al: Education)  
67, K 305
- HB 632-A**, establishing the position of state advisor of the FFA in the department of agriculture, markets, and food. (Sad, Ches 1; et al: Environment and Agriculture)  
67, K 248
- HB 633**, relative to prescription refills. (D. McGuire, Merr 21; et al: Health, Human Services and Elderly Affairs)  
67, am 407, psd 478, S nonconc 704
- HB 634**, relative to water resource management and protection plans in municipal master plans. (Spang, Straf 6; et al: Municipal and County Government)  
67, am 320, psd 392, conc S am 848, enr 928 (Chapter 202)
- HB 635**, establishing a committee to study state rest areas. (Patten, Merr 17; et al: Public Works and Highways)  
**new title:** establishing a committee to study state rest areas and relative to the solicitation of requests for proposals for the naming rights to rest areas.  
**2nd new title:** establishing a committee to study the staffing of currently closed rest areas and to develop a process for soliciting requests for proposals to sponsor or purchase naming rights to New Hampshire rest areas.  
**3rd new title:** requiring the department of transportation to develop a procedure for soliciting requests for proposals for the sponsorship or naming rights of New Hampshire rest areas.  
67, am 409, psd 478, nonconc S am, conf 816, 921, rep adop 970, enr am 986-987, enr 987 (Chapter 259)
- HB 636**, relative to the waitlist for community mental health services. (Harding, Graf 13; et al: Health, Human Services and Elderly Affairs)  
67, psd 313, 392, S conc 795, enr 921 (Chapter 140)
- HB 637-FN-A**, transferring licensing for retail tobacco sales to the department of revenue administration from the liquor commission. (D. McGuire, Merr 21: Executive Departments and Administration)  
67, K 174
- HB 638**, recognizing the original Thirteenth Amendment to the United States Constitution. (Tremblay, Rock 4; et al: State-Federal Relations and Veterans Affairs)  
67, LT 466-467
- HB 639**, relative to beverage container and packaging approval. (Schroadter, Rock 17; et al: Commerce and Consumer Affairs)  
67, am 403-404, psd 477, S conc 680, enr 703 (Chapter 72)
- HB 640**, relative to the standard valuation law. (Schlachman, Rock 18; et al: Commerce and Consumer Affairs)  
67, am 300-302, psd 392, conc S am 820, enr am 929-930, enr 981 (Chapter 221)
- HB 641-FN-L**, relative to penalties for failure to license dogs. (Cebrowski, Hills 7; et al: Municipal and County Government)  
68, withd 128
- HB 642-FN**, establishing a scholarship program for certain New Hampshire residents interested in attending a postsecondary educational institution in the university system of New Hampshire. (Elliott, Rock 8; et al: Education)  
68, K 226
- HB 643-FN**, establishing a science, technology, engineering, and mathematics scholars program. (Kurk, Hills 2: Education)  
68, K 305

- HB 644-FN**, relative to parole procedures. (Shurtleff, Merr 11; et al: Criminal Justice and Public Safety)  
**new title:** relative to parole procedures and relative to sanctions for violations of probation.  
68, am 405-406, psd 478, conc S am 754, enr 818 (Chapter 156)
- HB 645-FN**, relative to an extended term of imprisonment for persons with 2 prior convictions. (Robertson, Ches 6; et al: Criminal Justice and Public Safety)  
68, ret 1081
- HB 646-FN**, relative to New Hampshire correctional industries. (Groen, Straf 10; et al: Executive Departments and Administration)  
68, ret 1081
- HB 647-FN**, relative to appeals from the compensation appeals board. (G. Richardson, Merr 10: Labor, Industrial and Rehabilitative Services)  
68, psd 457-458, 478, S nonconc 704
- HB 648-FN**, permitting current marital masters to remain in office until retirement, resignation, disability, or nonrenewal of appointment. (G. Richardson, Merr 10; et al: Judiciary)  
68, am 450-451, psd (RC) 451-453, 478, S conc 704, enr 751 (Chapter 89)
- HB 649-FN**, relative to earned time credits for certain prisoners participating in educational and rehabilitative programming. (Gile, Merr 27; et al: Criminal Justice and Public Safety)  
68, ret 1082
- HB 650-FN-A**, making an appropriation to start a bus service between Claremont and Lebanon. (Cloutier, Sull 10; et al: Transportation)  
68, ret 1082
- HB 651-FN-A**, restoring funding and payment of fees by the judicial council for indigent parties. (Horrigan, Straf 6; et al: Children and Family Law)  
68, K 222
- HB 652-FN**, relative to the judicial branch information technology fund. (Rowe, Hills 22: Judiciary)  
68, Ways and Means 253, am 537-538, psd 592, S conc 704, enr 751 (Chapter 88)
- HB 653-FN-A**, relative to funding law enforcement prosecution of Internet crimes against children. (Pantelakos, Rock 25; et al: Criminal Justice and Public Safety)  
68, ret 1082
- HB 654-FN**, relative to licensure and renewal fees. (C. McGuire, Merr 29; et al: Executive Departments and Administration)  
68, Ways and Means 249, ret 1082
- HB 655-FN**, relative to the collection of the amount of the property tax deferral for the elderly or disabled upon sale of the property. (Daniels, Hills 40: Municipal and County Government)  
68, am 320-321, psd 392, S conc 795, enr 921 (Chapter 141)
- HB 656-FN**, requiring state agencies to develop performance measures and to develop budgets for each biennium. (Umberger, Carr 2; et al: Executive Departments and Administration)  
68, K 174-175
- HB 657-FN**, requiring state agencies to submit efficiency expenditure requests as part of the biennial budget process. (Cebrowski, Hills 7; et al: Finance)  
68, ret 1082
- HB 658-FN**, relative to registration for medical technicians. (Copeland, Rock 19; et al: Executive Departments and Administration)  
68, ret 1082
- HB 659-FN-A**, increasing the tobacco tax. (Rosenwald, Hills 30; et al: Ways and Means)  
69, SO 391, am 428, psd (RC) 428-431, 478, S nonconc 795
- HB 660-FN**, requiring the labeling of genetically engineered foods and agricultural commodities. (M. Mann, Rock 32; et al: Environment and Agriculture)  
69, ret 1082

- HB 661-FN**, allocating a portion of proceeds from forfeiture of items used in connection with a drug offense to the cold case homicide unit. (Cushing, Rock 21; et al: Criminal Justice and Public Safety)  
69, K 517-518
- HB 662-FN**, requiring the department of revenue administration to collect and make available data on the amount of meals and rooms tax revenue generated in each municipality. (Cushing, Rock 21; et al: Ways and Means)  
69, K 325
- HB 663-FN**, relative to appeals within the department of environmental services. (Ahlgren, Carr 6; et al: Resources, Recreation and Development)  
69, ret 1082
- HB 664-FN**, relative to the New Hampshire vaccine association. (Harding, Graf 13; et al: Health, Human Services and Elderly Affairs)  
69, vac Commerce and Consumer Affairs 135, am 363-366, psd 393, nonconc S am, conf 924, 925, rep adop (RC) 970-973, enr am 987, enr 987 (Chapter 260)
- HB 665-FN-A-L**, relative to video lottery and table gaming. (Gionet, Graf 5; et al: Ways and Means)  
69, K (RC) 480-482
- HB 666-FN**, relative to penalties for speeding offenses. (Burridge, Ches 16: Criminal Justice and Public Safety)  
69, ret 1082
- HB 667-FN-A**, establishing a temporary surcharge to the road toll to be dedicated to funding the state 10-year transportation improvement plan for rural and town roads. (Khan, Rock 20: Public Works and Highways)  
69, K 235
- HB 668-FN**, relative to group and individual health insurance market rules. (Schlachman, Rock 18: Commerce and Consumer Affairs)  
69, am 366-368, psd 393, S nonconc 921
- HB 669-FN-L**, relative to nonpayment of property taxes on current use land. (Hansen, Hills 22: Municipal and County Government)  
69, vac Environment and Agriculture 102, K 248
- HB 670-FN**, relative to marital masters. (Coulombe, Coos 3; et al: Judiciary)  
69, K 384
- HB 671-FN**, restoring state payment of fees for guardians ad litem and attorneys where the parents are indigent. (Coulombe, Coos 3; et al: Children and Family Law)  
**new title:** restoring state payment of fees for attorneys in child abuse and neglect cases where the parents are indigent.  
69, am & Finance 243-244, ret 1082
- HB 672-FN**, relative to the property tax exemption for water and air pollution control facilities. (Walz, Merr 23; et al: Municipal and County Government)  
69, ret 1082
- HB 673-FN**, requiring prosecution of a law enforcement officer for failure to enforce the crime of interference with custody. (Oigny, Rock 34; et al: Criminal Justice and Public Safety)  
69, K 376
- HB 674-FN-L**, relative to state highway aid. (Campbell, Hills 33: Public Works and Highways)  
69, ret 1082
- HB 675-FN**, authorizing and regulating the use of license plate scanning devices. (Shurtleff, Merr 11: Criminal Justice and Public Safety)  
69, ret 1082
- HB 676-FN-A-L**, extending and expanding the Coos county job creation tax credit. (Butynski, Ches 1; et al: Ways and Means)  
**new title:** extending the Coos county job creation tax credit.  
69, am 326, psd 392, S conc 680, enr 703 (Chapter 73)



- HB 677-FN**, relative to the certificate of need board. (Kurk, Hills 2; et al: Health, Human Services and Elderly Affairs)  
69, ret 1082
- HB 678-FN-A-L**, relative to games of chance and establishing a gaming oversight authority and video lottery gaming. (Vaillancourt, Hills 15; et al: Executive Departments and Administration)  
69, vac Ways and Means 102, LT 482-483
- HB 679**, relative to renovations to the vocational technical center at Alvirne high school. (Christiansen, Hills 37: Education)  
70, rem 286, SO 532, LT rej & K 587
- HB 680**, relative to attending a public school or public academy outside of the school district in which the pupil resides. (Roberts, Ches 4: Education)  
70, K 305
- HB 681**, relative to the membership, duties, and responsibilities of the guardian ad litem board and establishing the Court Appointed Advocates for Children in Divorce (CAACD) Corporation. (Itse, Rock 10; et al: Children and Family Law)  
70, K 244
- HB 682-FN**, relative to credit card fees. (Myler, Merr 10; et al: Commerce and Consumer Affairs)  
214-215, ret 1082
- HB 683-FN**, relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management. (Kaen, Straf 5; et al: Executive Departments and Administration)  
215, SO 532, LT (RC) 565-568
- HB 684**, relative to bridge replacement and bridge aid funds. (Rowe, Hills 22; et al: Public Works and Highways)  
215, ret 1082
- HB 685**, relative to state agency communications under the right-to-know law. (Leishman, Hills 24; et al: Judiciary)  
215, ret 1082
- HB 686**, relative to governor and council approval of state contracts. (L. Ober, Hills 37; et al: Executive Departments and Administration)  
**new title:** relative to approval of liquor commission contracts.  
216, rules suspended 221, am & psd 535, 592, conc S am 820, enr am 927, enr 928 (Chapter 157)

## 2013 SESSION

### HOUSE CONCURRENT RESOLUTIONS

- HCR 1**, urging Congress to fund the development and implementation of a comprehensive health care delivery system to enhance the level of specialty care for New Hampshire's veterans. (Baldasaro, Rock 5; et al: State-Federal Relations and Veterans Affairs)  
50, am 236, psd 284, S refused introduction 999
- HCR 2**, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights. (Cushing, Rock 21; et al: State-Federal Relations and Veterans Affairs)  
50, LT rej (2RCs) 467-472, IP rej (RC) 472-475, rcmt rej 475, psd (RC) 475-477, 478, S refused introduction 999
- HCR 3**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire. (Itse, Rock 10; et al: State-Federal Relations and Veterans Affairs)  
66, LT 479

## 2013 SESSION

### HOUSE JOINT RESOLUTIONS

- HJR 1**, directing the joint legislative historical committee to acquire and display a portrait of suffragist Marilla Marks Ricker. (Cushing, Rock 21; et al: Legislative Administration)  
64, SO 285, 338, psd 356, 393, remarks printed 356-357, S refused introduction 999

**HJR 2-FN-A**, making restitution to Jeffrey Frost for inappropriate prosecution. (Itse, Rock 10: Judiciary)  
70, K 253

## 2013 SESSION HOUSE RESOLUTIONS

**HR 1**, adopting the rules of the 2012 session for the 2013-2014 biennium.  
intro & adop 9

**HR 2**, recording House Sessions and the Permanent Journal.  
intro & adop 9

**HR 3**, distribution of House publications.  
intro & adop 9

**HR 4**, the Speaker employing personnel per RSA 17-E:5.  
intro & adop 9

**HR 5**, legislative salary and mileage payments.  
intro & adop 9

**HR 6**, commemorating the 40<sup>th</sup> anniversary of the *Roe v Wade* Supreme Court decision and affirming support for its holding and principles. (Bouchard, Merr 18; et al: Health, Human Services and Elderly Affairs)  
64, LT 450

**HR 7**, urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law. (Pastor, Graf 12; et al: State-Federal Relations and Veterans Affairs)  
64, SO 285, LT 339

**HR 8**, affirming revenue estimates for fiscal years 2013, 2014, and 2015. (Almy, Graf 13)  
217, LT 283-284

**HR 9**, honoring the victims and heroes of the Boston Marathon Tragedy. (Norelli, Rock 26; et al)  
747, psd (RC) 747-750, 751

**HR 10**, honoring the 100th Anniversary of the NH Presidential Primary and the Honorable Stephen A. Bullock.  
753-754, psd 792

**HR 11**, relative to a request from the House of Representatives to the Honorable Senate.  
973-974, psd (RC) 974-976, 981

## 2013 SENATE BILLS

**SB 1-FN-A**, increasing the research and development tax credit against the business profits tax.  
(Ways and Means)

**new title:** increasing the research and development tax credit against the business profits tax and relative to the report of the commissioner of resources and economic development on the research and development tax credit.

101, am 357-358, psd (RC) 358-361, 393, S conc & enr 394 (Chapter 5)

**SB 2**, relative to the calculation of the local tax cap. (Municipal and County Government)  
594, psd 686, 702, enr 704 (Chapter 58)

**SB 3-FN**, eliminating certain ramp tolls on the Everett turnpike in the town of Merrimack. (Public Works and Highways)  
678, ret 1082

**SB 11-L**, relative to water and sewer utility districts and water or sewer utility districts. (Municipal and County Government)

594, rem 706, SO 745-746, 805, am 810-811, LT rej (RC) 811-813, rcmt rej 813, psd (RC) 813-816, 817, S conc 921, enr am 927, enr 928 (Chapter 214)

**SB 12**, relative to protection and preservation of significant archeological deposits. (Municipal and County Government)

594, psd 686, 702, enr 704 (Chapter 76)

- SB 13**, relative to hearings in the department of safety. (Transportation)  
594, psd 762-763, 792, enr 818 (Chapter 125)
- SB 14**, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development. (Executive Departments and Administration/Ways and Means)  
594, vac Resources, Recreation and Development 599-600, Ways and Means 713, psd 833, 919, enr 928 (Chapter 166)
- SB 15**, naming a portion of route 101 after the 101st Airborne Division Screaming Eagles. (Public Works and Highways)  
594, ret 1082
- SB 17**, establishing a commission to study palliative care and associated quality of life initiatives. (Health, Human Services and Elderly Affairs)  
594, am 756-757, psd 792, S conc 927, enr am 930, enr 982, committee appointments 1086 (Chapter 225)
- SB 18**, conferring degree-granting authority to the American University of Madaba. (Education)  
595, psd 756, 792, enr 794 (Chapter 33)
- SB 19**, repealing provisions relative to the sale of the former Laconia state school property and eliminating a ramp toll on the Everett turnpike in the town of Merrimack. (Public Works and Highways)  
595, am 828-829, psd 919, S nonconc, conf 926, no report filed 1079
- SB 20**, making modifications to the DWI ignition interlock program. (Transportation)  
595, am 806-807, psd (RC) 807-809, 816, S conc 921, enr am 927, enr 928 (Chapter 219)
- SB 21**, making technical corrections to the International Registration Plan. (Transportation)  
595, psd 763, 792, enr 818 (Chapter 126)
- SB 22**, exempting small trailers from inspection requirements; allowing qualified dealers to inspect trailers; and deleting a reference to highway enforcement officers. (Transportation)  
595, psd 763, 792, enr 818 (Chapter 127)
- SB 24**, relative to Medicaid rates. (Executive Departments and Administration)  
595, vac Health, Human Services and Elderly Affairs 599-600, psd 710, 750, enr 751 (Chapter 80)
- SB 25**, relative to the treatment of medical support in child support cases. (Children and Family Law)  
678, psd 714, 750, enr 751 (Chapter 81)
- SB 27**, relative to monitoring by the department of education of programs for children with disabilities. (Education)  
**new title:** relative to monitoring by the department of education of programs for children with disabilities and relative to the calculation of school building aid grants.  
678, am 859-860, psd 919, S conc 927, enr 981 (Chapter 226)
- SB 28**, relative to the department of transportation inventory fund and relative to the effective date of the transfer of the electricians' board to the joint board for licensure and certification. (Finance)  
595, psd 684-685, 702, enr 704 (Chapter 57)
- SB 29**, relative to the motorist service signing program. (Public Works and Highways)  
595, ret 1082
- SB 30**, making technical corrections to tax laws. (Ways and Means)  
595, psd 714, 750, enr 751 (Chapter 90)
- SB 31**, relative to a ban on the incidental combustion of untreated wood at municipal transfer stations. (Science, Technology and Energy)  
597, psd 805, 816, enr 925 (Chapter 158)
- SB 33**, making technical changes to the judicial retirement plan. (Executive Departments and Administration)  
595, am 683, psd 702, S conc 921, enr 928 (Chapter 177)
- SB 34**, relative to the appointment of bail commissioners. (Judiciary)  
595, psd 685, 702, enr 704 (Chapter 59)
- SB 35**, relative to the master jury list. (Judiciary)  
595, rem 682, am 695-696, psd 702, S nonconc, conf 824, rep adop 933, 973, enr 984 (Chapter 261)

- SB 38**, relative to pharmacy rights during an audit. (Commerce and Consumer Affairs)  
597, psd 707, 750, enr am 752, enr 818 (Chapter 159)
- SB 39-FN-A**, relative to funding of capital projects of the division of ports and harbors, Pease development authority. (Public Works and Highways)  
131, psd 199, 214, enr 214 (Chapter 2)
- SB 40-FN-L**, relative to distribution of education funds for fiscal year 2013. (Finance)  
101, SO & psd (RC) 280-283, 285, enr 391 (Chapter 4)
- SB 41**, revising the New Hampshire business corporations act, RSA 293-A. (Commerce and Consumer Affairs)  
597, am 854-856, psd (RC) 856-858, 919, S conc 927, enr am 931, enr 981 (Chapter 142)
- SB 42**, relative to applications for licensure by the real estate appraisers board. (Executive Departments and Administration)  
595, am 683-684, psd 702, S conc 921, enr 928 (Chapter 98)
- SB 43**, relative to the property taxation of qualifying historic buildings. (Municipal and County Government)  
595, rem 682, am 696, psd (RC) 697-699, 702, S conc 818, enr 925 (Chapter 203)
- SB 44**, relative to the disposal of controlled drugs by law enforcement officers. (Judiciary/Executive Departments and Administration)  
595, am & Executive Departments and Administration 685, am 826, psd 919, S conc 927, enr 981 (Chapter 222)
- SB 45**, relative to electronic prescriptions. (Health, Human Services and Elderly Affairs)  
595, psd 724, 751, enr 751 (Chapter 262)
- SB 47**, relative to a surviving spouse's right to retain a Purple Heart plate. (Transportation)  
595, SO 809-810, LT rej (3RCs) 836-845, psd (RC) 845-847, 919, enr 928 (Chapter 178)
- SB 48**, relative to school performance and accountability. (Education)  
595, am 860-862, LT rej 862, psd (RC) 862-865, 919, debate printed (RC) 865-872, S nonconc, conf 926, rep adop (RC) 933-936, 973, enr 984 (Chapter 263)
- SB 49**, relative to appeals of planning board decisions. (Municipal and County Government)  
595, am 710, psd 750, S conc 921, enr 928 (Chapter 179)
- SB 50**, relative to expiration of variances and special exceptions. (Municipal and County Government)  
595, psd 710-711, 750, enr 751 (Chapter 93)
- SB 51**, relative to the definition of "professional service." (Commerce and Consumer Affairs)  
595, am 707-708, psd 750, S nonconc 818
- SB 52**, relative to names of limited partnerships. (Commerce and Consumer Affairs)  
595, psd 682, 702, enr 704 (Chapter 60)
- SB 54**, relative to appeals from the department of administrative services bureau of public works design and construction. (Executive Departments and Administration)  
595, am 684, psd 702, S conc 921, enr am 927, enr 981 (Chapter 227)
- SB 57**, relative to approval of the project proposed by the Town of Alstead for the lower Warren Brook Restoration project, establishing a commission to determine the appropriate use of flood damaged property, and repealing a commission established in 2006 to determine the appropriate use of property damaged in the October 2005 floods. (Resources, Recreation and Development)  
215-216, psd 322, 392, enr am 394, enr 554, committee repealed 1083, committee appointments 1086 (Chapter 7)
- SB 58**, relative to the taxation of water works or flood control land held in another town or city. (Municipal and County Government)  
595, psd 711, 750, enr 751 (Chapter 94)
- SB 60**, relative to assisted living facilities and landlord tenant law. (Judiciary)  
595, psd 691, 702, enr 704 (Chapter 61)

- SB 62**, authorizing the placement of a certain sign in the town of Danbury. (Municipal and County Government)  
595, psd 686, 702, enr 703 (Chapter 77)
- SB 64**, relative to public informational meetings on dams. (Resources, Recreation and Development)  
595, psd & conflict of interest declaration 724, 751, enr 751 (Chapter 91)
- SB 67**, establishing a committee to examine the issue of statutory authority for all terrain vehicles, off highway recreational vehicles, and low speed utility vehicles to access public highways for food, fuel, and lodging. (Transportation)  
595, psd 810, 817, enr 921, committee appointments 1085 (Chapter 128)
- SB 68**, relative to the escrow fund for court facility improvements. (Judiciary)  
595, am 685, psd 702, S conc 818, enr 925 (Chapter 160)
- SB 69**, relative to superior court jurisdiction over domestic violence petitions. (Judiciary)  
595, psd 685-686, 702, enr 704 (Chapter 62)
- SB 71**, establishing a committee to study the use and misuse of prescription drugs in workers' compensation cases. (Health, Human Services and Elderly Affairs)  
595, am 688, psd 702, S conc 818, enr 925, committee appointments 1085 (Chapter 161)
- SB 74**, relative to an exemption for entities that furnish hot water through a district energy system. (Science, Technology and Energy)  
215, rules suspended 600, am 600, psd 601, S conc 680, enr 703 (Chapter 8)
- SB 75**, relative to games of chance. (Ways and Means)  
678, am 833-835, psd 919, S nonconc, conf 925, rep adop 936-937, 973, enr am 984, enr 987 (Chapter 264)
- SB 76**, relative to disqualification of candidates. (Election Law)  
595, am 825, psd 919, S conc 927, enr 981 (Chapter 228)
- SB 80**, relative to expanding the community revitalization tax relief program to provide incentives for rehabilitating historic structures. (Municipal and County Government)  
597, psd 686, 702, enr 704 (Chapter 78)
- SB 81**, authorizing phlebotomists to withdraw blood for alcohol concentration tests. (Criminal Justice and Public Safety)  
595, psd 682, 702, enr 704 (Chapter 63)
- SB 82**, establishing a commission to identify strategies needed for developing and implementing a competency-based public education system. (Education)  
595, ret 1082
- SB 83**, relative to the controlled drug prescription health and safety program. (Health, Human Services and Elderly Affairs)  
595, psd (RC) 688-691, 702, enr 704 (Chapter 79)
- SB 84**, relative to road toll administration, relative to motor vehicles carrying property for hire, and relative to administration of the international registration plan. (Public Works and Highways)  
595, psd 712, 750, enr 751 (Chapter 100)
- SB 85**, relative to commercial motor vehicle operation. (Transportation)  
595, am 763, psd 792, S conc 921, enr 928 (Chapter 180)
- SB 87**, relative to the patients' bill of rights. (Health, Human Services and Elderly Affairs)  
597, am 758-760, psd 792, S conc 927, enr am 982, enr 984 (Chapter 265)
- SB 88**, relative to the Honor and Remember Flag as an official symbol to recognize and honor fallen members of the armed forces. (State-Federal Relations and Veterans Affairs)  
595, ret 1082
- SB 89**, relative to the definition of lead fishing sinkers and jigs and the penalties for prohibited sales of lead fishing sinkers and jigs. (Fish and Game and Marine Resources)  
596, am 776-777, LT rej (RC) 777-780, psd (RC) 780-782, 792, S conc 921, enr 928 (Chapter 193)

- SB 90**, establishing a committee to study developing a policy for veteran preference for government hiring. (Executive Departments and Administration)  
**new title:** establishing a committee to study developing a policy for veteran preference for government hiring and extending the commission on the effects of service-connected post-traumatic stress disorder and traumatic brain injury.  
596, am 827, psd 919, S conc 928, enr am 927, enr 983, extended final report date and committee repealed 1083, new committee appointments 1085 (Chapter 229)
- SB 92**, prohibiting multiple prescription drug failures. (Commerce and Consumer Affairs)  
596, ret 1082
- SB 93**, relative to plumbers and mechanical contractors on state boards. (Executive Departments and Administration)  
596, psd 684, 702, enr 751 (Chapter 64)
- SB 94**, relative to portable electronics insurance. (Commerce and Consumer Affairs)  
596, am 708, psd 750, S conc 922, enr 981 (Chapter 230)
- SB 95**, relative to choice of pharmacy under workers' compensation. (Labor, Industrial and Rehabilitative Services)  
597, psd 710, 750, enr 751 (Chapter 95)
- SB 96**, relative to vexatious litigants. (Judiciary)  
596, rcmt 691-692, am 797-798, psd 816, S conc 922, enr 928 (Chapter 181)
- SB 97**, relative to high school equivalency and relative to illiteracy. (Education)  
596, rem 825, divide rej 914, psd (RC) 914-916, 920, recon rej (RC) 916-919, enr am 927, enr 928 (Chapter 215)
- SB 98**, authorizing group net metering for limited electrical energy procedures and establishing a committee to study reimbursement rates for excess electricity generated by customer-generator groups. (Science, Technology and Energy)  
**new title:** authorizing group net metering for limited electrical energy procedures.  
**2nd new title:** authorizing group net metering for limited electrical energy producers.  
678, am 829-830, psd 919, S conc 927, enr am 982, enr 984 (Chapter 266)
- SB 99**, requiring the site evaluation committee to direct a study of site evaluation criteria and establishing a committee to study the criteria for siting of wind powered electric generating facilities, other electric generating facilities, and transmission facilities. (Science, Technology and Energy)  
**new title:** requiring a study of the site evaluation committee and process, and developing regulatory criteria for the siting of energy facilities.  
678, conflict of interest declaration 825, am 830-831, psd 919, S conc 927, enr 928 (Chapter 134)
- SB 100**, authorizing electronic payment of payroll. (Labor, Industrial and Rehabilitative Services)  
597, K 798-799, conflict of interest declaration 799
- SB 101**, relative to collocation and modification of personal wireless services facilities. (Science, Technology and Energy)  
596, rem 706, am 746-747, psd 751, S conc 922, enr am 982, enr 984 (Chapter 267)
- SB 102**, relative to the selection of members of the conservation commission. (Municipal and County Government)  
596, rem 756, K 816
- SB 104**, establishing a commission to study the current community-based system of commodities reporting by junk or scrap metal dealers in New Hampshire. (Commerce and Consumer Affairs)  
596, psd 714, 750, enr am 751, enr 818, committee appointments 1086 (Chapter 101)
- SB 105**, relative to disclosure of expert testimony in civil cases and relative to the recording of depositions. (Judiciary)  
**new title:** relative to disclosure of expert testimony in civil cases and relative to the recording of depositions.  
596, psd 686, 702, enr am 703, enr 751 (Chapter 65)
- SB 106**, relative to confidentiality in adult guardianship cases. (Judiciary)  
596, psd 692, 702, enr 704 (Chapter 66)

- SB 107**, relative to probate administration. (Judiciary)  
596, psd 686, 702, enr 704 (Chapter 67)
- SB 108**, relative to the liability of landowners who permit use of their land for recreational activities. (Judiciary)  
678, am 692, psd 702, S conc 818, enr 925 (Chapter 162)
- SB 111**, permitting municipalities to establish a capital reserve plan for expenditure of capital reserve funds and relative to electronic billing by municipal utilities. (Municipal and County Government)  
**new title:** permitting municipalities to make appropriations for a term beyond one fiscal year for certain capital projects and relative to electronic billing by municipal utilities.  
597, psd 711, 750, enr am 751, enr 818 (Chapter 109)
- SB 112**, requiring constitutional amendment concurrent resolutions to contain the language for the voter's guide. (Election Law)  
**new title:** relative to voters' guides for proposed constitutional amendments.  
596, am 825-826, psd 919, S conc 927, enr 981 (Chapter 231)
- SB 114**, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas. (Commerce and Consumer Affairs)  
597, K 756
- SB 115**, naming a bride in the town of Whitefield. (Public Works and Highways)  
214, psd 239, remarks printed 239, enr 254 (Chapter 3)
- SB 116-FN**, relative to the licensure of liquefied propane installation and service technicians. (Executive Departments and Administration/Ways and Means)  
597, ret 1082
- SB 117-FN**, establishing a commission to study the regulation of pharmacy benefits managers. (Commerce and Consumer Affairs/Ways and Means)  
**new title:** establishing a committee to study the regulation of pharmacy benefits managers.  
596, am 708-709, psd 750, S conc 818, enr am 818, enr 928, committee appointments 1085 (Chapter 182)
- SB 119-FN-A**, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation. (Executive Departments and Administration/Finance)  
**new title:** directing the joint legislative historical committee to conduct a study of state house flag restoration and to acquire a portrait of suffragist Marilla Marks Ricker.  
596, vac to Legislative Administration 599-600, rem 706, am & Finance (RC) 742-745, psd 827, 919, S nonconc, conf 925-926, rep adop 937-938, 973, enr 984 (Chapter 268)
- SB 122-FN**, establishing a commercial shrimp license. (Fish and Game and Marine Resources)  
596, psd (RC) 782-785, 792, enr 818 (Chapter 129)
- SB 123-FN-L**, relative to the use of proceeds from the regional greenhouse gas initiative program. (Science, Technology and Energy)  
678, am 897-898, conflict of interest declaration 898, psd 920, S conc 928, enr am 982, enr 984 (Chapter 269)
- SB 124-FN**, establishing an integrated land development permit. (Resources, Recreation and Development)  
596, am & Finance (RC) 724-728, am 827-828, psd 919, S conc 928, enr am 982, enr 984 (Chapter 270)
- SB 126-FN**, relative to business practices between motor vehicle manufacturers, distributors, and dealers. (Commerce and Consumer Affairs)  
597, am 765-774, psd (RC) 774-776, 792, conflict of interest declaration 776, S conc 818, enr am 923, 927, enr 928 (Chapter 130)
- SB 127-FN**, relative to registration of certain state contracts with the department of state and repealing the information practices act. (Commerce and Consumer Affairs)  
596, psd 682, 702, enr 704 (Chapter 68)
- SB 128-FN-L**, relative to fees for vital records. (Ways and Means)  
596, am 736, psd 751, S nonconc 818

- SB 129-FN**, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services (CHINS) program, and establishing a committee to study programs for children in need. (Children and Family Law/Finance)  
678, am & Finance 706-707, am (2RCs) 878-884, psd (RC) 884-887, 919, debate printed 886-892, S nonconc 922
- SB 131-FN-L**, relative to a permitting process for the removal of submerged logs from certain great ponds. (Resources, Recreation and Development)  
596, psd 713, 750, enr 751 (Chapter 96)
- SB 132-FN**, establishing a committee to study police special details. (Executive Departments and Administration)  
596, K 687
- SB 133-FN**, adopting the interstate wildlife violators compact. (Fish and Game and Marine Resources)  
596, psd 756, 792, enr 921 (Chapter 163)
- SB 134-FN**, relative to the division of higher education and the higher education commission. (Education/Ways and Means)  
678, am & Ways and Means 714-719, psd 835-836, S conc 928, enr 981 (Chapter 164)
- SB 135-FN**, relative to the regulation of the practice of genetic counseling. (Executive Departments and Administration)  
597, am 872-876, psd (RC) 876-878, 919, S nonconc, conf 926, rep adop 938, 973, recon rej (RC) 941-944, enr am 984, enr 987 (Chapter 271)
- SB 136**, relative to the rights of the immediate family of crime victims. (Judiciary)  
596, vac Criminal Justice and Public Safety 600, K 683
- SB 137-FN**, relative to sibling visitation rights. (Judiciary)  
597, vac Children and Family Law 600, K 714
- SB 138-FN**, relative to support for certain residents of nursing and assisted living facilities. (Health, Human Services and Elderly Affairs)  
597, am 760-761, psd 792, S conc 928, enr 981 (Chapter 167)
- SB 139-FN-L**, relative to mileage fees for sheriffs and deputy sheriffs. (Municipal and County Government)  
596, psd 686, 702, enr 704 (Chapter 69)
- SB 140-FN**, requiring a pharmacy to substitute generically equivalent drugs for any prescription paid for by state funds. (Commerce and Consumer Affairs)  
597, K 682
- SB 143-FN**, relative to benefits for unemployed persons who are attempting to establish a business. (Labor, Industrial and Rehabilitative Services)  
678, psd (RC) 799-801, 816, enr 925 (Chapter 218)
- SB 146-FN-L**, relative to aid to the permanently and totally disabled and old age assistance. (Health, Human Services and Elderly Affairs/Municipal and County Government)  
596, Municipal and County Government 691, LT rej 892-893, psd (2RCs) 893-897, 919, enr 928 (Chapter 183)
- SB 147-FN**, relative to prescription drugs in workers' compensation cases. (Labor, Industrial and Rehabilitative Services)  
678, psd 710, 750, enr am 752, enr 818 (Chapter 131)
- SB 148-FN**, relative to electric renewable portfolio standards. (Science, Technology and Energy)  
**new title:** relative to electric renewable portfolio standards and relative to group and individual health insurance market rules.  
678, am (RC) 898-911, psd (RC) 911-913, 920, conflict of interest declarations 913, S nonconc, conf 926, rep adop (RC) 938-941, 973, enr 984 (Chapter 272)
- SB 152-FN-A-L**, relative to video lottery and table gaming. (Joint Committee on Finance and Ways and Means)  
679, K (RC) 785-789, recon rej (RC) 789-792



- SB 153-FN**, relative to legislative approval of collective bargaining agreements entered into by the state. (Finance)  
596, vac Labor, Industrial and Rehabilitative Services 681, K (RC) 801-804
- SB 155-FN-A**, requiring revenue from commemorative liquor bottles to be used for the preservation of state house Civil War battle flags. (Executive Departments and Administration/Ways and Means)  
597, vac Legislative Administration 599-600, rem 706, Ways and Means 745, psd 835-836, 919, enr 928, committee amended 1083 (Chapter 184)
- SB 157-FN**, establishing a New Hampshire disaster relief fund. (Finance)  
596, am 687, psd 702, S nonconc, conf 922, conferee change 928, rep adop 944, 973, enr 984 (Chapter 273)
- SB 159**, exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations. (Transportation)  
**new title:** exempting drivers of eligible agricultural and farm vehicles from certain federal motor carrier regulations and relative to drivers' license renewals of members of the armed forces and federal employees and their spouses.  
596, am 763-765, psd 792, S conc 922, enr 928 (Chapter 185)
- SB 160-FN-A**, relative to turnpikes and electronic toll collection. (Public Works and Highways)  
597, am 762, psd 792, S conc 922, enr 928 (Chapter 186)
- SB 161**, relative to electronic funds transfers. (Commerce and Consumer Affairs)  
596, psd 682, 702, enr am 703, enr 751 (Chapter 223)
- SB 162-FN**, repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds, and relative to the membership of the higher education commission. (Education/Finance)  
**new title:** repealing the student tuition guaranty fund and making provisions for the disbursement of remaining funds.  
678, am & Finance 719, psd 828, 919, S conc 928, enr 981 (Chapter 187)
- SB 163**, establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards. (Resources, Recreation and Development)  
678, am 728, psd (RC) 728-731, 751, S conc 922, enr 928, committee appointments 1087 (Chapter 188)
- SB 164**, authorizing coastal management provisions in master plans. (Resources, Recreation and Development)  
678, am & LT rej 731, psd (RC) 731-734, 751, S conc 922, enr 928 (Chapter 189)
- SB 165**, repealing a prohibition relative to auxiliary state troopers. (Transportation)  
596, psd 810, 817, enr 921 (Chapter 132)
- SB 166**, relative to critical incident stress management and crisis intervention services. (Health, Human Services and Elderly Affairs/Judiciary)  
678, Judiciary 710, referral refused 747, psd 751, enr 751 (Chapter 74)
- SB 169**, relative to non-covered services under dental insurance plans. (Commerce and Consumer Affairs)  
678, ret 1082
- SB 170**, relative to advance directives pertaining to life-sustaining treatment. (Health, Human Services and Elderly Affairs)  
597, rem 706, am 737, LT rej (RC) 737-739, psd 739, 751, S conc 818, enr am 928, enr 982 (Chapter 224)
- SB 171**, relative to the council for children and adolescents with chronic health conditions. (Health, Human Services and Elderly Affairs)  
596, psd 710, 750, enr am 752, enr 818, committee amended 1083 (Chapter 113)
- SB 172-FN-L**, relative to public funds. (Municipal and County Government/Finance)  
597, psd 711, 750, enr 751 (Chapter 97)
- SB 173**, relative to criminal background checks for individuals volunteering or applying for employment at licensed child care facilities. (Children and Family Law/Criminal Justice and Public Safety)  
597, Criminal Justice and Public Safety 707, psd 825, 919, enr 928 (Chapter 216)

- SB 175**, relative to crossing public waters of the state for public utility purposes. (Science, Technology and Energy)  
678, psd 713-714, 750, enr 794 (Chapter 82)
- SB 178**, establishing a committee to review and make recommendations regarding consolidating all state energy positions throughout state departments. (Executive Departments and Administration)  
596, K 684
- SB 179**, clarifying the definition of “renewable generation facility” for purposes of payments in lieu of property tax payments. (Science, Technology and Energy)  
**new title:** clarifying the definition of “renewable generation facility” for purposes of payments in lieu of property tax payments and allowing certain facilities that combust municipal waste for energy to make payments in lieu of property tax payments.  
597, am 805-806, psd 816, S conc 928, enr 981 (Chapter 232)
- SB 180-FN-A**, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund. (Commerce and Consumer Affairs/Finance)  
678, ret 1082
- SB 184-FN**, excluding conservation officers of the fish and game department from requirements for emergency medical and trauma services. (Executive Departments and Administration/Finance)  
678, Finance 709, psd 828, 919, enr 928 (Chapter 190)
- SB 185**, establishing a commission on housing policy and regulation. (Executive Departments and Administration)  
596, vac Municipal and County Government 599-600, am 761-762, psd 792, S conc 922, enr am 930, enr 983, committee assignments 1085 (Chapter 233)
- SB 187**, posthumously emancipating enslaved Africans in New Hampshire. (Judiciary)  
596, am 692-693, psd (RC) 693-695, recon 699, psd (RC) 699-702, S conc & enr am 920, enr 925 (Chapter 204)
- SB 188-FN**, relative to municipally-owned utilities. (Public Works and Highways)  
596, am 712-713, psd 750, S nonconc, conf 925, conferee change 926, rep adop 944, 973, enr 984 (Chapter 274)
- SB 189-FN**, relative to the licensure of fuel gas fitters and plumbers by a mechanical licensing board established within the department of safety and transferring regulation of plumbers to the mechanical licensing board. (Executive Departments and Administration/Ways and Means)  
597, am & Ways and Means 719-724, am 913-914, psd 920, S nonconc, conf 926, rep adop 944, 973, enr 984 (Chapter 275)
- SB 190-FN**, relative to admission fees for certain persons at state parks and historical sites. (Resources, Recreation and Development/Ways and Means)  
598, ret 1082
- SB 191-FN-A**, establishing a state energy strategy. (Science, Technology and Energy)  
678, conflict of interest declaration 825, am 831-833, psd 919, S conc 928, enr am 982, enr 984, committee appointments 1085 (Chapter 276)
- SB 192-FN-L**, establishing a committee to study the establishment of a state infrastructure bank. (Public Works and Highways/Finance)  
597, Finance 713, psd 828, 919, enr 925, committee appointments 1085 (Chapter 133)
- SB 194-FN**, requiring the department of health and human services to implement the Medicaid family planning expansion. (Health, Human Services and Elderly Affairs/Finance)  
597, rem 706, psd (RC) 739-742, 751, enr 751 (Chapter 92)
- SB 196-FN**, relative to the definition of push-polling. (Election Law)  
rules suspended & intro 682, ret 1082
- SB 197**, relative to the inclusion of a default budget in separate warrant articles submitted by sewer commissions. (Municipal and County Government)  
**new title:** relative to the inclusion of a default budget in separate warrant articles submitted by sewer and water commissions.  
598, am 711-712, psd 750, S conc 922, enr 928 (Chapter 191)

- SB 198**, relative to the authority of county correctional officers. (Municipal and County Government) 678, vac Criminal Justice and Public Safety 682, am 858-859, psd 919, S conc 928, enr 981 (Chapter 194)
- SB 199**, authorizing the attorney general to join the settlement of accrued claims relating to the non-participating tobacco manufacturers adjustment disputes for 2003 to 2011 and the 2012 non-participating tobacco manufacturers adjustment. (Judiciary) 393, rules suspended 411, psd 411-412, enr 450 (Chapter 6)

## 2013 SESSION

### SENATE CONCURRENT RESOLUTIONS

- SCR 1**, relative to special use permits in the White Mountain National Forest. (Resources, Recreation and Development) 678, LT 734-736, remove from table (RC) 976-979, rules suspended 979, psd 979-981, 981

## 2013 SESSION

### CONSTITUTIONAL AMENDMENT CONCURRENT RESOLUTIONS

- CACR 1**, relating to taxation. Providing that 3/5 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments of principal of all state bonds. (Ulery, Hills 37; et al: Ways and Means) 45, K (RC) 118-121
- CACR 2**, relating to taxation. Providing that taxes imposed by the state of New Hampshire or its subdivisions may be graduated. (Weed, Ches 16; et al: Ways and Means) 45, K 121-122
- CACR 3**, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children. (Itse, Rock 10; et al: Children and Family Law) 45, K (RC) 182-185
- CACR 4**, relating to the supreme court. Providing that rules made by the chief justice of the supreme court governing the administration of the courts in the state and the practice and procedure to be followed in all such courts shall not have the force and effect of law. (Christiansen, Hills 37: Judiciary) 45, K 111-112
- CACR 5**, relating to bribery and corruption. Providing that no person incarcerated for a crime, under a conditional release from incarceration, completing an order of restitution for a crime, nor any person who has been convicted of intentional murder shall hold any office of trust in the New Hampshire government. (Baldasaro, Rock 5; et al: Election Law) 50, ret 1082
- CACR 6**, relating to education. Providing that the legislature shall have the power to authorize schools. (Itse, Rock 10; et al: Education) 64, K 303
- CACR 7**, relating to public education. Providing that the general court shall have the authority to define standards for public education, establish standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education. (Itse, Rock 10; et al: Education) 64, K 376-377

## 2013 SPECIAL SESSION

### HOUSE BILL

- SS HB 1-FN-A**, relative to access to health insurance coverage. (Sherman, Rock 24; et al: Finance) intro (2RCs) 1012-1017, ruling of the Chair upheld (4RCs) 1027-1037, IP rej (RC) 1037-1039, adjourn rej (RC) 1039-1042, print debate rej (RC) 1042-1044, am (RC) 1044-1047, divide rej (3RCs) 1047-1055, am rej (4RCs) 1055-1067, limit debate rej (RC) 1067-1070, LT rej (RC) 1070-1072, psd (RC) 1073-1075, S nonconc 1078

# HOUSE JOURNAL

## SUBJECT INDEX

This index refers to bills and resolutions by number. Other subject matter is indexed to page numbers.  
The numerical index preceding this index gives page references for all action on numbered bills and resolutions.

### A

<b>101st Airborne Division Screaming Eagles</b> , portion of route 101 named.....	SB 15
<b>Abortion</b> , supreme court opinion, <i>Roe v. Wade</i> , 40th anniversary commemoration .....	HR 6
<b>Abortion information act</b> , informed consent requirements .....	HB 483
<b>Abuse of office</b> , official oppression, public official acting to benefit himself or another; penalty .....	HB 504
<b>Abutter</b>	
landowner, highway maintenance, damages, ascertaining procedure established.....	HB 543
subdivisions, easement required .....	HB 114
<b>Accountancy board</b> , public accountant criteria changed; rulemaking authority specified .....	HB 267
<b>Actions and proceedings</b>	
business corporations act revised.....	SB 41
civil, service of notice directly to defendant or by certified mail, required .....	HB 596
domestic violence petitions, jurisdiction from superior court removed .....	SB 69
false arrest, costs and attorney's fees paid by governmental unit .....	HB 610
landlord and tenant	
default judgment, tenant to pay all rent due pending court's decision .....	HB 409
demand for rent and other damages; landlord-agent requirement repealed .....	HB 106
evictions, commercial property, sent certified mail to registered agent or legal address .....	HB 211
liability of landowners, duty of care to individuals engaged in construction.....	SB 108am
medical malpractice	
early offers system repealed.....	HB 582
screening panels, evidence limited to offers of proof, no live witness testimony .....	HB 583
service of writs upon city manager and city clerk, permitted .....	HB 429
torts, attorney's fees and court costs paid by losing party .....	HB 107
vexatious litigants, requirements .....	SB 96
workers' compensation, non-payments, private right of action by employer against another .....	HB 169
<b>Acupuncture</b> , licensure and renewal of fees by statute established .....	HB 654
<b>Adjutant general</b>	
2007 and 2009 capital improvements appropriation purpose amended.....	HB 25am
capital improvements appropriation; lapse dates extended .....	HB 25
construction projects, exempt from bidding; subject to peer review by administrative services.....	HB 607
national guard	
facilities, construction or improvement contracts .....	HB 524
recruitment and retention scholarship fund, expended for the biennium.....	HB 2am
<b>Administrative procedure</b>	
bureau of hearings, held on behalf of the safety department commissioner and divisions .....	SB 13
rules	
exemptions, driveway permits issued by transportation department.....	HB 117
resources and economic development, assessing fines, prospective repeal repealed.....	SB 14am
state agencies, certain agency rulemaking exemptions repealed.....	HB 266
<b>Administrative services</b>	
2007, 2009, 2011 capital improvements, appropriation purpose amended .....	HB 25am
appropriation	
reimbursement, erroneously charged benefits to spouse of officer killed in line of duty.....	HB 2am
state employees, parking benefit .....	HB 2am
business processing consultant, appropriation.....	HB 2
capital improvements; lapse dates extended.....	HB 25
commissioner	
budget reductions allocation reporting requirements from judicial branch.....	HB 2
public works design and construction bureau, project appeals .....	SB 54
retirement system health care program, cost containment plan and implementation.....	HB 2
transfer of funds within and among accounts authorized.....	HB 2

**Administrative services (cont.)**

consolidation of state agency human resources functions authorized .....	HB 2
construction projects, adjutant general, certain projects subject to peer review .....	HB 607
guardian ad litem board, administration transferred to joint board of licensure and certification .....	HB 681
Laconia state school property, sale costs, appropriation continued.....	HB 2
manager of risks and benefits position established .....	HB 2
office of innovation and efficiency established.....	HB 2
office space provided to American Legion Department of NH, required .....	HB 509
retirement system, cost containment options relative to the retiree health plan, study .....	HB 2am
state agency budget requests, performance measurement system required.....	HB 656
state health insurance, public employers may participate .....	HB 445
superior court center, lease of rental space, cost and space limitations set.....	HB 2
transfer of funds from the renewable energy fund to the general fund.....	HB 2am

<b>Advertising</b> , alcoholic beverages, NH products, expenditure requirements established .....	HB 333
---	--------

<b>Aeronautics</b> , aircraft based in another state, registration waiver authorized.....	HB 272
---	--------

**Agriculture**

farm buildings and structures, property tax exemption, local option .....	HB 531
food, genetically engineered, labeling requirements .....	HB 660
markets, and food	
group licenses for dog owners repealed .....	HB 109
homestead food operations exempt from licensure to label.....	HB 177
organic on-farm processor or handler certification fees set.....	HB 177am
poultry and rabbits, regulations; sales to licensed restaurants allowed.....	HB 608
state advisor of Future Farmers of America, position established .....	HB 632
vehicles, drivers, federal motor carrier regulations, exempt .....	SB 159

**Air pollution**

control facilities, tax exemptions apply only to net book value .....	HB 672
motor vehicle emissions, idle reduction technology.....	HB 196
municipal incinerators, certain facilities to make payments in lieu of property tax .....	SB 179am
outdoor fires, violations under certain circumstances .....	SB 31am
regional greenhouse gas initiative	
energy efficiency fund to low-income core energy efficiency program allocated.....	HB 630am
modified.....	HB 306am
proceeds, municipal and local government energy efficiency projects.....	SB 123am
repealed .....	HB 630

<b>Aircraft</b> , based in another state, registration waiver authorized .....	HB 272
--	--------

<b>Akers Pond dam</b> , property acquisition in Errol by fish and game department .....	HB 111
---	--------

**Alcohol abuse**

prevention and treatment	
fund, revenue from increased beer tax .....	HB 168
fund, revenue from sales of liquor .....	HB 2
uniform, sliding-fee scale for voluntary services provided by approved programs.....	HB 2am

**Alcohol and drug abuse**

counselors, licensure and renewal of fees by statute established .....	HB 654
governor's commission, members added.....	HB 232

**Alcoholic beverages**

advertising by liquor commission, expenditure requirements established .....	HB 333
containers and packaging, delivery of physical beverage samples not required .....	HB 639am
licenses	
bed and breakfast and inns established .....	HB 202
eliminating and combining liquor licenses, study .....	HB 457
off-premises, liquor licensees may sell until 1:00 a.m.....	HB 120
on-premises, sale limits, nano brewery exempt if license upgrade is obtained .....	HB 253am
on-premises, sales until 2:00 a.m. if authorized by local ordinance.....	HB 575am
liquor, home production for personal or family use authorized and regulated .....	HB 237
liquor commission, certain discounts eliminated.....	HB 315
liquor manufacturers, sales, farmers' markets and on-premises, off-premises licensees .....	HB 456
malt, tax rate increased, revenue to alcohol abuse prevention and treatment fund .....	HB 168
sales, NH microbrewery and nano brewery in state liquor stores, pilot program .....	HB 275

**Alcoholic beverages (cont.)**

state stores	
liquor stores, electronic benefits transfer (EBT) cards, use prohibited.....	HB 2am
special shelving for NH domestic liquor and wine .....	HB 175
wine	
home production for personal or family use authorized and regulated.....	HB 237
manufacturers, sell retail and wholesale; sell manufactured by others, including beer.....	HB 331
NH manufacturers, advertising as NH farm winery prohibited; exception, qualifications .....	HB 491
NH manufacturers, promotion of NH liquor and wines required; annual report .....	HB 226am
promotion of NH wines, study .....	HB 226
purchasing and pricing, study.....	HB 468

<b>Alimony</b> , criteria; renewal request within 5 years of the divorce decree required .....	HB 604
--	--------

<b>Allied health professionals</b> , genetic counseling, governing board established.....	SB 135am
---	----------

<b>Alstead</b> , floods, lower Warren Brook restoration project, study extended .....	SB 57
---	-------

<b>Alvirne high school</b> , vocational technical center renovations .....	HB 679
--	--------

<b>Alzheimer's disease</b> , statewide plan to address needs, study .....	HB 417
---	--------

<b>Ambulatory surgical facilities</b> , adverse reporting system, law clarified.....	HB 293
--	--------

<b>American Legion</b> , office space provided by Administrative Services .....	HB 509
---	--------

<b>American University of Madaba</b> , degree granting authority .....	SB 18
--	-------

**Animals**

cruelty	
livestock, reporting and submitting recordings to law enforcement agency required.....	HB 110
prevention education for persons convicted; negligence redefined .....	HB 497
dog licenses, group licenses for dog owners repealed.....	HB 109
negligence, regarding animal treatment, redefined.....	HB 497
sales, dogs, cats, birds, and ferrets accompanied by health certificate within 14 days.....	HB 328

<b>Antennas</b> , personal wireless service facilities, existing structures; review of applications.....	SB 101
--	--------

<b>Appel, Dr. Kenneth I.</b> , memorial declaration .....	705-706
---	---------

**Appropriations**

capital improvements reduced if revenue is less than expected .....	HB 25
education department, career and technical student organizations.....	HB 270
health and human services, care providers at Chase Home for Children, supreme court order.....	HB 486
operating budget	
2014-2015 .....	HB 1
2014-2015, trailer bill.....	HB 2
state agencies required to submit efficiency expenditure requests.....	HB 657

<b>Aquatic weeds</b> , exotic, and species committee, repealed .....	HB 527
--	--------

<b>Arbitration</b> , overpayments, restitution to unemployment compensation fund.....	HB 360
---	--------

**Archeology**

archaeological investigations on property prohibited unless evidence of historic resources .....	HB 377
protection or preservation in master plans, subdivision regulations and site plan review .....	SB 12am

<b>Archives and records management division</b> , deadline to state archives extended .....	HB 352
---	--------

**Armed forces**

disabled, optional property tax credit amount amended.....	HB 446
driver's license renewal procedure clarified.....	SB 159am
experience and training used to satisfy occupational boards requirements; rulemaking.....	HB 234
higher education, academic credit for student's military experience, policy developed.....	HB 519
national guard	
facilities, adjutant general, construction or improvement contracts.....	HB 524
recruitment and retention scholarship fund, expended for the biennium .....	HB 2am
scholarship appropriation .....	HB 615
scholarship fund, amended .....	HB 524
state active duty, pay and benefits not extended to non-active duty personnel.....	HB 524
national Honor and Remember Flag official symbol to recognize fallen members.....	HB 233am
.....	SB 88

**Armed forces (cont.)**

NH medal of honor eligibility requirements revised .....	HB 220
debate printed .....	141-142
post-traumatic stress disorder and traumatic brain injuries, study extended .....	SB 90am
Purple Heart toll pass for qualifying veterans established .....	HB 244
special number plates for members or retired members .....	HB 137am
state employees, benefits increased .....	HB 319
veterans	
Congress urged to fund a comprehensive health care delivery system .....	HCR 1
Congress urged to fund a comprehensive health care delivery system .....	SCR 1
disabled, receive special number plates without charge in lieu of disabled veteran plates .....	HB 163
part year veterans' credits granted during the year of acquisition of property .....	HB 176
residency requirement for in-state tuition at University of NH waived .....	HB 624
special number plates, Purple Heart recipients, surviving spouse to retain plate .....	SB 47
state employment, preference in hiring policy, study .....	SB 90
tax credits, notarized statement of service letter establishes status; training included .....	HB 518

**Arrests**

domestic violence	
intervention, criminal complaint filing required .....	HB 503
procedures changed .....	HB 502
medical costs incurred in custody, responsibility .....	HB 132
resisting, circumstances specified; lawful arrest required .....	HB 458
without a warrant, peace officer's authority limited .....	HB 512

**Assault**

against a health care worker, extended term of imprisonment .....	HB 217
simple, not resulting in harm to another, charged as violation and not misdemeanor .....	HB 264

**Assessing standards board**

certain duties transferred from equalization standards board .....	HB 181
members, appointment, town population requirement lowered .....	HB 182

**Assisted living facilities**

and residences for developmentally disabled, excluded from definition of tenant .....	SB 60
cost of care recovery .....	SB 138

Atomic energy, policy repealed .....	HB 465
--------------------------------------	--------

**Attorney general**

authorized to join settlement with tobacco companies .....	SB 199
contracts reviewed, \$10,000 or more for liquor commission .....	HB 686am
department, failure to prosecute for falsification in official matters, penalties .....	HB 616
health clubs, rulemaking authority repealed .....	HB 529
internet crimes against children fund established .....	HB 653
legal settlements awarded to state, reports to fiscal committee .....	HB 2am
office, salaries increased for certain positions .....	HB 2am
recovery of moneys owed to NH by Massachusetts for flood mitigation .....	HB 581

**Attorneys**

assigned counsel in abused or neglected children cases, compensation when parties are indigent .....	HB 2
fees and court costs paid by governmental unit in action for false arrest .....	HB 610
fees and court costs paid by losing party in tort actions .....	HB 107
indigent defendants, fees funded and paid by judicial council .....	HB 651
not licensed by supreme court, representatives for parties no more than 10 times a year .....	HB 590
payment by judicial council for indigent parents in termination of parental rights cases .....	HB 327
payment of fees for indigent parents in child abuse or neglect cases .....	HB 671

**Autism**

council on autism spectrum disorders, members added; duties clarified .....	HB 236
---	--------

**B****Bail and recognizance**

bail commissioners, appointment, superior and circuit court; conflict of interest .....	SB 34
bail recovery agents, regulation and licensing by safety commissioner, changes made .....	HB 353
relinquishment of firearms as condition of bail, judge's authority limited .....	HB 209

<b>Bailey, Hon. Brad</b> , unanimous consent, memorial remarks for Hon. Raymond Burton .....	1076-1077
--	-----------

**Baldasaro, Hon. Alfred**

- unanimous consent, Welcome Home Veterans Day.....592-594
- unanimous consent, Marine Corps birthday celebration.....1019-1021

**Banks**

- credit cards, surcharge fees prohibited ..... HB 682
- criminal history checks required for persons seeking to form a financial institution ..... HB 559
- department
  - commissioner, assess for deficiency between fees collected and expenditures ..... HB 2
  - commissioner, duties of trust company incorporation board transferred to ..... HB 560
  - commissioner, notification of security breaches, required..... HB 559
- electronic fund transfers, Article 4A and Electronic Fund Transfer Act ..... SB 161
- fraud, Financial Resources Mortgage, Inc., recovery fund for victims; appropriation..... SB 180
- mortgages
  - bankers, and brokers, credit laws amended..... HB 594
  - foreclosures, notice of sale, content amended..... HB 301
- payroll checks, electronic fund transfer, option of payment by check requirement deleted ..... HB 357am
- payroll checks, electronic fund transfer, option of payment by check requirement deleted ..... SB 100am
- state, economic development, established ..... HB 320
- state infrastructure bank established, study ..... SB 192am

**Barbers**, shop license, one year experience requirement removed..... HB 376

**Bauman, Jeff**, commended as hero, honoring the victims of the Boston Marathon Tragedy..... HR 9

**Bed bugs**, infestations in rental housing, landlord, tenant, and municipality responsibility..... HB 482

**Belknap county**

- districts reapportioned..... HB 448
- motor vehicles division, driver's licensing and registration office ..... HB 500

**Bemis, Hon. Al**, unanimous consent, memorial remarks by Rep. Laura Jones .....1075-1076

**Beverages**, alcoholic, containers and packaging, physical beverages samples, criteria..... HB 639am

**Bills and resolutions**

- fiscal notes, cost and benefit analysis required ..... HB 555
- policy for distribution to citizens..... HR 3
- taxes or license fees, new or increased rate, 3/5 vote required; exception for bonded debt .....CACR 1

**Bingo**, games of chance, statutes governing.....SB 75

**Biometric data**, collection by state agencies, municipalities, and political subdivisions restricted ..... HB 312

**Birds**, sales, to be accompanied by a health certificate within 14 days ..... HB 328

**Birth control**, family planning services, Medicaid, family planning expansion implemented.....SB 194

**Blind**, state supplemental programs (SSP), study..... HB 557

**Blood Pond**

- renamed Evans Pond in Lancaster ..... HB 157am
- renamed Mountain Lake Pond in Lancaster ..... HB 157

**Boats**

- rafting restrictions modified ..... HB 545
- registration
  - fee increased; other states or countries, milfoil decals required ..... HB 292
  - one-time for antique private vessels more than 70 years old..... HB 332
  - reduction in fees repealed..... HB 411
- whitewater guides, safety and training requirements established..... HB 515

**Boehm, Hon. Ralph**, unanimous consent, memorial remarks for Hon. Leon Calawa, Jr. ....100

**Bonds**

- estates, requirement, health and human services exempt ..... HB 2am
- revenue
  - capital improvements appropriation ..... HB 25
  - kindergarten construction program..... HB 25am
- towns, for broadband infrastructure, issuance requirements changed..... HB 286

**Boston**, marathon, honoring victims of the Boston Marathon Tragedy ..... HR 9

**Boxing and wrestling commission**, licensure and renewal of fees by statute established ..... HB 654



**Brain injuries**

- armed forces, study extended ..... SB 90am
- sports, definitions for “student athlete” and “student sports” amended ..... HB 180

**Brew pubs**, sales, on-premises, limits, nano brewery exempt under certain circumstances..... HB 253am

**Bridges**

- Burns Bridge in Whitefield, named ..... SB 115
- debate printed ..... 239
- Memorial Bridge in Portsmouth, appropriate signage, funding authorized..... HB 25am
- motor vehicle road toll, revenue alternatives for funding highways and bridges, study ..... HB 617am
- municipal road and bridge account established..... HB 617
- replacement, reimbursement to municipalities from state ..... HB 684
- revenue alternatives for funding, study ..... HB 2am
- revenue credited from certain unrefunded tolls to the highway and bridge betterment account..... HB 2am
- sale of naming rights, study..... HB 534
- state and municipal road and bridge account established..... HB 2am

**Budget**

- capital improvements, reduced if revenue is less than expected ..... HB 25
- municipal, appropriation limitations, official ballot referendum municipality permitted ..... HB 122
- operating
  - 2014-2015..... HB 1
  - 2014-2015, trailer bill..... HB 2
  - fiscal year ending June 30, 2013, surplus to remain in general fund..... HB 2am
  - state agencies required to submit efficiency expenditure requests..... HB 657
  - transparency, access to certain information and reports on the county website..... HB 239

**Building code**, review board and advisory committee on heating system certification..... SB 93

**Buildings**

- construction, lot access to a class VI or better highway via a private right-of-way ..... HB 113
- residential, fire sprinkler systems, voluntary installation conditions..... HB 278

**Bullock**, Stephen A., honored; 100th Anniversary of the NH Presidential Primary..... HR 10

**Bullying**, NH Anti-Bullying Day, 2nd Wednesday in November, proclaimed by governor ..... HB 553

**Burglary**, class B, mandatory minimum sentence required ..... HB 274

**Burns Bridge**, named in the town of Whitefield ..... SB 115

debate printed..... 239

**Burton, Hon. Raymond**, unanimous consent, memorial remarks by Rep. Brad Bailey ..... 1076-1077

**Buses**, service between Claremont and Lebanon..... HB 650am

**Business enterprise tax**

- compensation redefined ..... HB 2am
- credits
  - against business profits tax, carry forward period extended ..... HB 2
  - Coos county job creation, extended ..... HB 676am
  - education tax credit repealed..... HB 2
  - education tax credit program repealed..... HB 370
  - rate reduced over 5-year period; tax repealed July 1, 2018 ..... HB 354
  - renamed business income tax; amount employer liable to pay capped; reduced annually ..... HB 434
  - threshold amounts, effective changes date extended..... HB 2

**Business profits tax**

- credit for motion picture production expenditures established..... HB 540
- credits
  - education tax credit repealed..... HB 2
  - issued by revenue administration commissioner, increased..... HB 2
  - research and development, increased; prospective repeal repealed; reporting..... SB 1am
  - research and development, prospective repeal date repealed..... HB 240
  - research and development, prospective repeal repealed..... HB 2
  - deductions, reasonable compensation, record-keeping safe harbor deduction, increased ..... HB 598
  - education tax credit program repealed..... HB 370
  - net operating loss carryover date extended..... HB 2

**Businesses**

- business corporations act revised.....SB 41
- licenses, streamlining inspections and licensing, study.....HB 386
- names registered with secretary of state, similar name to existing business allowed.....HB 222

**C**

**Calawa, Hon. Leon, Jr.**, unanimous consent, memorial remarks by Rep. Ralph Boehm.....100

- Cannon Mountain**, revenue deposited into state park fund .....HB 2am
- revenue from operations deposited into capital improvement fund .....HB 2am
- ski area, ski passes for general court members, exempt from definition of gift .....HB 514

**Capital improvements appropriations**, reduced if revenue is less than expected.....HB 25

**Capital reserve funds**

- municipalities, expenditure plan; electronic billing on customer request .....SB 111am
- towns and cities, management, amended.....HB 297

**Career schools**

- licensing and regulation moved from education to employment security.....SB 162
- private, student tuition guaranty fund repealed, disbursement of remaining funds.....SB 162am

**Carnival amusement rides**, coin-operated, inspections and regulation, clarified.....HB 207

**Cats**, sales, to be accompanied by a health certificate within 14 days.....HB 328

**Central NH turnpike**

- Merrimack
  - certain ramp tolls eliminated.....SB 3am
  - ramp toll eliminated .....HB 257

**Certificate of need**

- nursing homes, new and rehabilitation beds, moratorium extended.....HB 2am
- review board, membership amended; standard development clarified, periodic reports.....HB 677

**Certificate of need review board**, membership changed; establish state health plan .....HB 2am

**Charitable organizations**

- gambling
  - game operators, taxes due within 5 days of game date.....HB 212
  - games of chance, statutes governing .....SB 75
  - pay-by-the-hour allowed .....HB 459
  - single wager limit increased; electronic gaming equipment regulated .....HB 314

**Charitable trusts**, director, compensation information on paid solicitations on state website.....HB 558am

**Charter schools**

- application, state board of education required to review.....HB 424
- establishment, include information on the board of trustees in application .....HB 243
- funding
  - based on 50 percent of statewide average cost per public school pupil .....HB 435
  - education department expenditures limited; first year program audit clarified .....HB 2am
  - expenditures limited for biennium .....HB 2
- state board of education approval, moratorium between July 1, 2013 and June 30, 2015.....HB 2am
- tuition payments statute amended.....HB 299

**Charters**

- city clerk, selected by elected body; residency requirement .....HB 541
- municipal, adoption, revision, and amendment procedures revised.....HB 422

**Children**

- abused or neglected
  - assigned counsel, compensation when parties are indigent .....HB 2
  - court cases, payment of fees to attorneys.....HB 671
  - delinquent, or in need of services, rates for programs maintained as of June 30, 2013.....HB 2
  - expenditure of funds from justice department to support Child Advocacy Center.....HB 2
  - treatment, public-private partnerships, study .....HB 572
- child day care license law, fines into fund for licensure law compliance technical assistance .....HB 2
- chronic health conditions, council; member added; annual reporting date changed.....SB 171

**Children (cont.)**

## custody

- child care, supervised visitation centers, license required ..... HB 478
- law enforcement officer, interference with custody, failure to enforce, penalty ..... HB 673
- school districts, transportation, not responsible beyond designated assigned school ..... HB 160
- sibling's visitation rights, petition procedure ..... SB 137
- study ..... HB 405

- day care agencies, licensed, employees and volunteers, criminal history check ..... SB 173
- delinquent, in need of services, Chase Home, appropriation to providers, supreme court order ..... HB 486
- delinquent, in need of services, shelter care facilities, court ordered placements ..... SB 129
- dependent, aid to 2-parent families, program established ..... HB 261
- families, issues, foster care, study ..... HB 405
- foster care, tuition waiver and scholarship programs ..... SB 134am
- guardians ad litem, compensation when parties are indigent ..... HB 2
- in need of services

- CHINS program, study ..... HB 418
- CHINS program amended ..... HB 260am
- CHINS program appropriation; broader definition restored ..... HB 358
- definition and petition filing procedures revised ..... HB 2
- Granite Strong Child and Family Task Force established ..... HB 470
- shelter care facilities, shelter bed certification repealed ..... HB 2
- internet crimes against children fund established; courts ..... HB 653
- juvenile delinquents, age raised from 17 to 18 ..... HB 525
- myopia, parental warning about progression when prescribing distance lenses for children ..... HB 378
- parental control of the health, education, and welfare of their children a natural right ..... CACR 3
- parental rights and responsibilities, determination based on best interest of the child ..... HB 578
- parental rights termination cases, appointment of CASA guardian ad litem ..... HB 2am
- public assistance, state's authority to seek reimbursement limited ..... HB 481
- recreation camp, fund established; license fee increased ..... HB 295am
- sports, concussions, definitions for "student athlete" and "student sports" amended ..... HB 180
- support

- calculation based on residential responsibility ..... HB 538
- college contributions, parental agreement, court approval and enforcement ..... HB 554
- disabled, beyond age 18, court to initiate or continue ..... HB 528
- enforcement, nonpayment, court to issue finding prior to contempt or other sanctions ..... HB 539
- guidelines, obligation not greater than foster care reimbursement rate ..... HB 536
- health and human services, payments to administrative office of the courts ..... HB 1
- medical support obligation and self-support reserve, calculation clarified ..... SB 25
- separate bank account for deposit payments required ..... HB 552
- study ..... HB 405
- youth skill camps, criminal background checks for volunteers and employees ..... HB 295am

**Cigarettes**

- sales, licensing authority transferred to revenue administration from liquor commission ..... HB 637
- tax
  - "cigarette" redefined to match definition under Master Settlement Agreement ..... HB 488
  - laws amended ..... HB 427
  - rate increased ..... HB 2
  - rate increase, repealed ..... HB 335

**Circuit court**

- bail commissioners, appointment; conflict of interest ..... SB 34
- judges
  - assignment of liaison judges ..... HB 296
  - retirement plan, technical corrections ..... SB 33
- marital masters, office until retirement, resignation, disability, or nonrenewal of appointment ..... HB 648

**Cities**

- absentee voting, candidates, voter applicant information from secretary of state or town clerk ..... HB 412
- capital reserve funds, management, amended ..... HB 297
- charters, city clerk, selected by elected body; residency requirement ..... HB 541
- flood control, reimbursement, prospective repeal repealed ..... HB 2
- insurance, transfer, under the Patient Protection and Affordable Care Act of 2009, study ..... HB 355
- International Council for Local Environmental Initiatives, implementing, prohibited ..... HB 144
- optional property tax credit amount amended for service-connected total disability ..... HB 446

**Cities (cont.)**

property held in another town for water works or flood control, voluntary agreement .....	SB 58
property taxes, historic structures, appraisal at market value percentage .....	SB 43
service of writs upon city manager and city clerk, permitted .....	HB 429
state-owned real estate, purchase period .....	HB 550
taxes, property, part year veterans' credits granted .....	HB 176
treasurers, duties, payment of out of town moneys, manifest required .....	HB 522
treasurers, investment of public funds, options modified .....	SB 172
trust funds, management, amended .....	HB 297
water and/or sewer utility districts, establishment permitted .....	SB 11am

<b>Civil War battle flags preservation</b> , funds from Civil War commemorative bottle .....	SB 155am
--	----------

<b>Claremont</b> , bus service between Lebanon .....	HB 650am
--	----------

<b>Coastal management</b> , master plans may address storm surge, flooding .....	SB 164
--	--------

<b>Cohabitation</b> , as a basis for legal marriage, statute repealed .....	HB 371
---	--------

**Collective bargaining**

public employees	
binding arbitration required .....	HB 178
dollar amount shall not be modified by the legislative body of the public employer .....	HB 187am
online training, votes, annual report required .....	HB 178
state employees	
general court fiscal committee approval required .....	HB 414am
.....	SB 153
pay differential for direct care employees at certain state institutions, not applicable .....	HB 477

**Colleges and universities**

academic credit for military, training, coursework, experience, policy developed .....	HB 519
American University of Madaba, degree granting authority .....	SB 18
armed forces, national guard scholarship appropriation .....	HB 615
armed forces, national guard scholarship fund, amended .....	HB 524
dual enrollment programs, study .....	HB 471
higher education commission, revised; higher education fund established .....	SB 134am
parental agreement on college contributions, court approval and enforcement .....	HB 554
security services and guards required to report certain felony offenses to law enforcement .....	HB 125
UNIQUE endowment allocation program, funding provision repealed .....	HB 2am

<b>Colors</b> , orange, red, and yellow the official state colors .....	HB 420
---	--------

**Committee re-referrals**

alcoholic beverages	
liquor manufacturers sales, farmers' markets and on-premises, off-premises licensees .....	HB 456
off-premises liquor licensees may sell until 1:00 a.m. ....	HB 120
state stores, special shelving for NH domestic liquor and wine .....	HB 175
wine, NH manufacturers may sell retail and wholesale .....	HB 331
wine, NH manufacturers, advertising product as NH winery prohibited; exceptions .....	HB 491
wine, NH manufacturers, promotion of NH wines .....	HB 226
appropriations, operating budget, state agencies to submit efficiency expenditure requests .....	HB 657
armed forces, experience and training used to satisfy occupational boards requirements .....	HB 234
atomic energy policy repealed .....	HB 465
biometric data, collection by state agencies, municipalities, and political subdivisions restricted .....	HB 312
boats	
commercial, private, and pleasure vessels, registration, additional fee increased .....	HB 292
rafting restrictions modified .....	HB 545
bonds, revenue, towns, for broadband infrastructure, issuance requirements changed .....	HB 286
businesses, registering similar name to an existing business or other entity allowed .....	HB 222
charter schools	
application, state board of education required to review .....	HB 424
establishment, include information relating to the board of trustees in application .....	HB 243
funding amended, based on 50 percent of statewide average cost per public school pupil .....	HB 435
tuition payments statute amended .....	HB 299
children, abused or neglected, treatment, public-private partnerships, study .....	HB 572
consumer protection	
health clubs, regulations amended .....	HB 529
guaranteed price plans and prepaid contracts, methods of securing deposits amended .....	HB 566
law, actions, preliminary requirements added .....	HB 565

**Committee re-referrals (cont.)**

- corporations, voluntary, presiding officer of board of directors to receive management training ..... SB 186
- corrections
  - department, GraniteCor business established; plate manufacturing fee assessed ..... HB 646
  - prisoners, earned time credits for educational and rehabilitative programming ..... HB 649
  - state prisons, solitary confinement, conditions created; defined; study ..... HB 480
- courts, child abuse or neglect cases, payment of fees to attorneys ..... HB 671
- criminal code
  - cruelty to animals, livestock, reporting to law enforcement agency required ..... HB 110
  - firearms, discharge in compact part of town for events or national holidays authorized ..... HB 498
  - internet crimes against children fund established; courts ..... HB 653
  - sentences, annulment, records, statute amended ..... HB 618
  - sentences, earned time credits for successful completion of educational programs ..... HB 404
  - sentences, extended term of imprisonment for assault against a health care worker ..... HB 217
  - sentences, extended term of imprisonment for persons with 2 prior convictions, amended ..... HB 645
- criminal procedure, witness fees, register maintained by prosecutor ..... SB 151
- drugs, prescription, purchase up to 90-day supply at pharmacy of choice ..... HB 584
- education
  - high schools, mathematics, 4 years required for graduation ..... HB 533
  - in-state tuition, university system, students without lawful immigration status ..... HB 474
  - public schools, competency-based system, study ..... SB 82
- elections
  - campaign contributions and expenditures, definition modified; reporting modified ..... SB 120
  - campaign contributions and expenditures fund established for certain eligible candidates ..... HB 250
  - campaign contributions and expenditures, definitions amended ..... HB 392
  - changes to laws to take effect September 1, 2013 repealed; various provisions modified ..... SB 183
  - inspectors duties summarized ..... HB 151
  - inspectors of election, town and city clerks may appoint; term of office start date changed ..... HB 351
  - person incarcerated for a crime forbidden to hold any office in NH government ..... CACR 5
  - political committee, definition modified ..... HB 392
  - push-polling, modified ..... SB 196
  - town and school district meetings, official ballot form, inspectors serve as ballot clerks ..... HB 150
  - voter distributing an image of his or her marked ballot prohibited ..... HB 366
  - voter registration forms and procedures modified ..... HB 600
  - voter registration, qualified voter and domicile affidavits eliminated ..... HB 466
- electric power
  - electric transmission facilities certificates, applications, moratorium established ..... HB 586
  - energy efficiency and clean energy districts, laws, amended ..... HB 532
  - energy facility site evaluation certificates, public approval required ..... HB 484
  - energy facility site evaluation committee, issuing certificates ..... HB 449
  - transmission lines placed within state transportation rights-of-way ..... HB 569
  - transmission lines to be buried ..... HB 568
  - transmission lines, wind turbine plants, construction moratorium ..... HB 580
- electronic tracking devices, use without consent or court order prohibited; exceptions ..... HB 592
- enhanced 911 system
  - seeking medical assistance with drug or alcohol related emergencies, immunity ..... HB 118
  - surcharge collected from certain prepaid cellular telephones ..... HB 284
- environmental services
  - appeals board established ..... HB 663
  - waivers for lot loading or setback distances in certain condominium conversions allowed ..... HB 158
- ethics
  - general court, members, gifts, acceptance requirements revised ..... HB 415
  - general court, requirements for legislators and employees separate from executive branch ..... HB 548
- fireworks, retail of certain devices prohibited; ..... HB 336
- fish and game
  - hunting, deer, baiting and feeding prohibited ..... HB 258
  - search and rescue fund, funding, study; voluntary hike safe card established ..... HB 256
- food
  - genetically engineered, labeling requirements ..... HB 660
  - Granite State farm to plate program established ..... SB 141
  - poultry and rabbits, regulations; sales to restaurants allowed ..... HB 608
- fraud, Financial Resources Mortgage, Inc., recovery fund for victims; appropriation ..... SB 180

**Committee re-referrals (cont.)**

gambling	
charitable organizations, games of chance single wager limit increased.....	HB 459
keno games allowed; licensing by lottery commission; revenues to education trust fund .....	HB 485
poker, playing in private residences allowed .....	HB 459
general court, legislative budget assistant, right to know law.....	HB 685
gifts, honoraria, and expense reimbursements, value increased.....	HB 170
guardians, proposed ward to pay certain fees and court costs.....	HB 426
health care	
facilities and providers, direct care price disclosure for self-pay patients required.....	HB 476
facilities, certificate of need review board, membership amended.....	HB 677
facilities, mandatory drug testing for certain health care workers .....	HB 597
facilities, medical technician registration board established .....	HB 658
hemp, industrial, not to be designated as a controlled substance .....	HB 153
highways	
road salt applicators, commercial, certification option .....	HB 523
route 101, named for the 101st Airborne Division Screaming Eagles.....	SB 15
state aid, computation formula modified.....	HB 674
toll, Central NH turnpike, Merrimack, certain ramp tolls eliminated.....	SB 3
hospitals, medical equipment providers to disclose cost at time of sale to consumer, required .....	HB 329
insurance	
accident and health, dental care, non-covered services.....	SB 169
accident and health, optometrists, choice of eye care professional.....	HB 585
accident and health, prescription drugs, health benefit plan, multiple failures prohibited .....	SB 92
accident and health, prescription drugs, indication not approved by FDA prohibited.....	SB 91
accident and health, state-based health exchange, prohibition repealed .....	HB 544
commissioner, administrative supervision of insurer; certain circumstances allowed.....	HB 230
companies, solicitations sent with disclosure included, required.....	HB 430
property or casualty, laws amended.....	HB 227
interstate compacts, American/Canadian emergency management assistance, repealed.....	HB 493
investments, towns and cities, capital reserve and trust funds, management, amended.....	HB 297
judges, retirement plan, vested deferred allowance option added.....	HB 419
juvenile delinquents, age raised from 17 to 18.....	HB 525
labor	
discrimination, hiring, based upon an individual's unemployment status, prohibited.....	HB 350
employers required to use status verification system to verify work eligibility .....	HB 249
public employees, abusive work environment prohibited, defined.....	HB 591
law, practice of, attorneys, not licensed by supreme court.....	HB 590
licenses	
dental therapists, licensure authorized.....	SB 193
propane installation and servicing combined .....	SB 116
various occupations, licensure and renewal fees by statute established .....	HB 654
limited liability companies, slow-profit, study.....	HB 346
liquor commission	
annual report on NH domestic liquor and wine industry required.....	HB 175
promotion of NH liquor and wines required; annual report.....	HB 226
malpractice	
early offers system repealed.....	HB 582
medical, joint underwriting association act established .....	HB 489
screening panels, procedures amended; evidence limited to offers of proof .....	HB 583
marijuana, purchase and use allowed and regulated; tax on sale .....	HB 492
Medicaid, long-term care services, community-based services as alternative; criteria.....	HB 461
medical assistance program, independent review process restored .....	HB 462
motor vehicle road toll, increased, contingent on fuel sales .....	HB 437
motor vehicles	
buses, service between Claremont and Lebanon.....	HB 650
certificate of title, time requirement limited .....	HB 495
driver's license, commercial, medical examination reports, certain persons exempt .....	HB 587
driver's license, medically unfit, person reporting immune from liability .....	HB 263
DWI, certain first time offenders, limited driving privileges authorized.....	HB 496
elderly drivers, examination .....	HB 263
number plates, license plate scanning devices, regulated and authorized.....	HB 675
national Honor and Remember Flag official symbol, honor fallen members of armed forces .....	SB 88
occupational licensing and regulation boards, disciplinary proceedings.....	HB 469

**Committee re-referrals (cont.)**

oil, home heating, invoice to include pricing information .....	HB 149
pawnbrokers, regulations, revised.....	HB 343
polysomnographers, licensing by respiratory care practitioners board .....	HB 326
public utilities commission, transmission lines underground.....	HB 166
real estate commission, brokers and salespersons, regulations amended.....	HB 421
retirement system	
group II, UNH police officers, permanent, purchase allowed.....	HB 473
vacation and sick leave, unused, applied as additional creditable service.....	HB 627
sales, credit cards, surcharge fees prohibited .....	HB 682
secretary of state, definition of "department" shall not apply to constitutional duties .....	HB 186
security at colleges or universities to report offenses to law enforcement agency .....	HB 125
state employees, benefits increased for serving in the armed forces.....	HB 319
state parks, and historical sites, free for persons over 65, discount coupon books eliminated .....	SB 190
taxes	
business profits, credit for motion picture production expenditures established .....	HB 540
charters, municipal, adoption, revision, and amendment procedures revised.....	HB 422
exemptions, for water and air pollution control facilities, apply only to net book value .....	HB 672
title loans, interest rate capped at 36 percent .....	HB 562
tobacco products	
laws amended .....	HB 427
rate, other than cigarettes, changed; use prevention and cessation; fund established.....	HB 490
transportation, sale of naming rights for certain structures, study .....	HB 534
transportation department, bridge replacement, reimbursement to municipalities.....	HB 684
unemployment compensation, hearings, employers to provide proof of misconduct .....	HB 200
veterans, residency requirement for in-state tuition at University of NH waived.....	HB 624
water, wastewater and public water supply projects, state aid .....	HB 397
water pollution control facilities, state contribution required.....	HB 338
workers' compensation	
contractors, state projects and state land timber sales, procedures clarified.....	HB 203
coverage, non-payments, private right of action by one employer against another.....	HB 169
law, medical costs and payments, study.....	HB 255
weekly compensation changed .....	HB 439
zoning, subdivisions, abutter, easement required .....	HB 114

**Community college system**

capital improvements appropriation; lapse dates extended .....	HB 25
excess receipts may be expended .....	HB 1
retiree health benefit fund established; task force .....	HB 2am
rulemaking authority for tuition waiver and scholarship programs.....	SB 134am
UNIQUE endowment allocation program, funding provision repealed .....	HB 2am

**Community mental health centers, services, waitlist, prospective repeal extended.....** HB 636

**Community residences, for developmentally disabled, excluded from definition of tenant .....** SB 60

**Computers**

county website, access to budget information and reports .....	HB 239
judicial branch information technology fund, revenue from court filing fees.....	HB 652
state, open source software; information practices act repealed; legislature exempt.....	HB 155am
state website, charitable trusts to include compensation information .....	HB 558am

**Condominiums**

associations to access dog registration records.....	HB 108
board members, removal procedure established.....	HB 464
law review board established; study committee repealed.....	HB 154
waivers for lot loading or setback distances issued by environmental services allowed.....	HB 158

**Confidential information, guardianship, probate court proceedings submitted or recorded .....** SB 106

**Congregate housing and services suspended .....** HB 2

**Conservation commissions, members may be elected.....** SB 102

**Constitution, NH**

amendment, prevent dedicated funding for specific purpose from being diverted, study.....	HB 549
amendment concurrent resolutions to contain text of language for voter's guide.....	SB 112am
approved titles for articles established.....	HB 408

**Constitutional amendment proposals**

## education

funding, general court to define standards and accountability, level of state funding.....CACR 7

general court, power to authorize and fund political subdivisions to establish schools.....CACR 6

parental control of health, education, and welfare of children a natural right.....CACR 3

person incarcerated for a crime forbidden to hold office.....CACR 5

state power and rights based on the Constitutions affirmed.....HCR 3

supreme court rules, force and effect of law removed.....CACR 4

## taxes

or license fees, new or increased rate, 3/5 vote required; exception for bonded debt.....CACR 1

state or municipal, rates graduated.....CACR 2

**Construction**, projects, adjutant general, exemption from bidding; projects subject to review..... HB 607**Consumer credit**

credit history, used in employment decisions by an employer prohibited..... HB 357

debt collectors to provide documentation of debts before collecting them..... HB 339

mortgage bankers, and brokers, credit laws amended..... HB 594

**Consumer protection**

health clubs, regulations amended..... HB 529

home heating guaranteed price plans and prepaid contracts, reporting for dealers..... SB 114

home heating price plans and prepaid contracts, securing prepaid deposits amended..... HB 566

hospitals, adverse reporting system, law clarified..... HB 293

law, actions, preliminary requirements added..... HB 565

**Consumers' cooperative associations**, reports filed once every 3 years..... HB 530**Containers**, alcoholic beverages, delivery of beverages samples, criteria; exception..... HB 639am**Contraceptives**, family planning services, Medicaid, expansion implemented..... SB 194**Contractors**, state projects and land timber sales, workers' compensation clarified..... HB 203**Contracts**

home heating, price plans and prepaid contracts, securing prepaid deposits amended..... HB 566

home heating guaranteed price plans and prepaid contracts, reporting for dealers required..... SB 114

## state

\$25,000 or more, approved by governor and council..... HB 686

liquor commission, \$10,000 or more, review by attorney general..... HB 686am

**Conway**, East Conway Road, repair, appropriation..... HB 340**Coos county**

job creation tax credit on business enterprise tax, extended..... HB 676am

superior courts, marital master appointed..... HB 670

trails, OHRVs, size and weight limitations increased..... HB 574am

**Corn-based ethanol**, gasoline additive banned..... HB 362**Corporations**

annual reports filed once every 3 years; report due date changed..... HB 530

business corporations act revised..... SB 41

Congress urged for amendment that human beings, not corporations have constitutional rights..... HCR 2

Congress urged for amendment that human beings, not corporations have constitutional rights..... SCR 1

professional, service defined..... SB 51

voluntary, presiding officer of board of directors to receive biennial management training..... SB 186

**Corrections**

## county facilities

medical services, rate agreements, negotiation by superintendent..... HB 131

officers, transport and custody force established..... SB 198

superintendent may release prisoners for employment, rehabilitation, home confinement..... HB 224

superintendent may release prisoners for purposes conducive to rehabilitation..... HB 133

## department

2007, 2009 capital improvements appropriation purpose amended..... HB 25am

capital improvements; reports on status of projects required; lapse dates extended..... HB 25

fill unfunded positions, expenditure cap and transfer of funds, accounts authorized..... HB 2am

GraniteCor business enterprise established; vehicle plate manufacturing fee..... HB 646

parole, notice and information to victim provided..... HB 167



**Corrections (cont.)**

facilities, health care for prisoners, costs, reimbursement.....	HB 432
legislative oversight committee established.....	HB 164
medical costs incurred in custody, responsibility.....	HB 132
parole, procedures amended; probation violation sanctions, authority amended .....	HB 644am
prisoners	
earned time credits for educational and rehabilitative programming.....	HB 649
transferring custody to private facility prohibited except when governor declares .....	HB 443am
state prisons, solitary confinement, conditions created; study .....	HB 480

<b>Cosmetologists</b> , shop license, one year experience requirement removed .....	HB 376
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**Counties**

budget, transparency, access to information and reports on website.....	HB 239
commissioner, contract for professional real estate services.....	HB 235
correctional officers, transport and custody force established.....	SB 198
corrections	
medical services to prisoners, rate agreements, negotiation by superintendent.....	HB 131
superintendent may release prisoners for rehabilitation.....	HB 133
superintendent may release prisoners for employment, rehabilitation, home confinement .....	HB 224
county convention members, attendance, compensation rate increased.....	HB 136
county treasurer investment duties clarified; duplicate authority repealed .....	HB 369
employees, background checks authorized.....	HB 204am
health care for prisoners, costs, reimbursement procedures amended.....	HB 432
International Council for Local Environmental Initiatives, implementing prohibited .....	HB 144
motor vehicles, publicly owned, marking to identify agency required .....	HB 567
nursing homes, limited payments for fiscal years 2014-2015; prospective repeal repealed .....	HB 2
officers, annual reports printed by sixth month following close of fiscal year.....	HB 208
service of writs upon city manager and city clerk, permitted .....	HB 429
state-owned real estate, purchase time period .....	HB 550
taxes, county income tax adopted, revenue administration department .....	HB 330
treasurer, investment of public funds, options modified .....	SB 172

<b>County attorney</b> , failure to prosecute for falsification in official matters, penalties.....	HB 616
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<b>County convention</b> , members, attendance, compensation rate increased.....	HB 136
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<b>County treasurers</b> , investment duties clarified; duplicate authority repealed .....	HB 369
--	--------

<b>Court Appointed Advocates for Children in Divorce (CAACD) Corporation</b> , established.....	HB 681
---	--------

**Courts**

child abuse or neglect cases, court appointed special advocates (CASA) may be appointed.....	HB 2am
child abuse or neglect cases, payment of fees to attorneys .....	HB 671
child support for disabled children beyond age 18, court to initiate or continue.....	HB 528
costs and attorney's fees paid by governmental unit in action for false arrest .....	HB 610
costs and attorney's fees paid by losing party in tort actions.....	HB 107
domestic violence petitions, jurisdiction from superior court removed .....	SB 69
facility improvement escrow fund, technical corrections.....	SB 68am
family division, study .....	HB 571
fees, additional \$10 fee for every conviction for an offense against a child.....	HB 653
filing fees, increase, revenue to Judicial information technology fund.....	HB 652am
judges, retirement plan, supplemental allowances provision repealed.....	HB 173
parental agreement on college contributions, approval and enforcement.....	HB 554
retired judges over age of 70 permitted to serve under certain circumstances.....	HB 281
rules of evidence for the family division of the courts adopted.....	HB 605
sibling's visitation rights, petition procedure .....	SB 137
supreme court rules, force and effect of law removed .....	CACR 4
vexatious litigants, requirements .....	SB 96
witnesses	
criminal cases, fees, register maintained by prosecutor .....	SB 151
expert, disclosure in criminal cases, depositions, recording allowed.....	SB 105am

**Credit cards**

electronic benefits transfer (EBT), use at liquor stores prohibited.....	HB 2am
surcharge fees prohibited .....	HB 682

<b>Credit unions</b> , criminal check for persons seeking to form a financial institution .....	HB 559
---	--------

**Criminal code**

abuse of office	
law enforcement officer, interference with custody, failure to enforce, penalty .....	HB 673
official oppression, public official acting to benefit himself or another; penalty .....	HB 504
arrest without a warrant, peace officer's authority limited .....	HB 512
assault, simple, not resulting in harm, charged as violation not misdemeanor .....	HB 264
civil immunity granted for use of force in certain circumstances, repealed .....	HB 135
class B burglary, mandatory minimum sentence .....	HB 274
cruelty to animals	
livestock, reporting and submitting recordings to law enforcement agency required .....	HB 110
prevention education for persons convicted; negligence redefined .....	HB 497
falsification in official matters, failure to prosecute, penalties .....	HB 616
firearms, discharge in compact part of town or city for events or national holidays authorized .....	HB 498
fraud, insurance, venue for offenses established .....	HB 228
internet crimes against children, fund established; courts .....	HB 653
justification, deadly force in defense of a person, where person has a right to be, repealed .....	HB 135
limitation of actions, wrongful incarceration compensation increased .....	HB 247
privacy, images of residence taken from air by device not supported by ground, prohibited .....	HB 619
resisting arrest, circumstances specified; lawful arrest required .....	HB 458
sentences	
annulment, records sealed, removal by state police records unit upon payment of fee .....	HB 450
annulment, records, hearing or petition not required .....	HB 447
annulment, records, statute amended .....	HB 618
earned time credits for educational and rehabilitative programming .....	HB 649
earned time credits for successful completion of educational programs .....	HB 404
extended term of imprisonment for assault against a health care worker .....	HB 217
extended term of imprisonment with two prior convictions, circumstances amended .....	HB 645
parole, certain notice and information to the victim provided by corrections .....	HB 167
sexual offenders, registration, residency restrictions prohibited, study .....	HB 442am
witness tampering, misdemeanor offense .....	HB 431

**Criminal procedure**

arrests	
domestic violence, intervention, criminal complaint filing required .....	HB 503
domestic violence, procedures changed .....	HB 502
criminal complaint, false statement by officer may be prosecuted for false swearing .....	HB 407
witness fees, register maintained by prosecutor .....	SB 151

**Cruelty to animals**

livestock, reporting and submitting recordings to law enforcement agency required .....	HB 110
prevention education for persons convicted; negligence redefined .....	HB 497

**Cultural resources**, abolished; library and historical resources transferred to secretary of state .....

HB 561

**Current use**, taxation, nonpayment of property taxes within 120 days of the due date .....

HB 669

**Custody**

children	
child care, supervised visitation centers, license required .....	HB 478
law enforcement officer, interference with custody, failure to enforce, penalty .....	HB 673
school districts, transportation, not beyond designated area for assigned school .....	HB 160
sibling's visitation rights, petition procedure .....	SB 137
study .....	HB 405

**D****Dams**

breaching or lowering, public notification requirements .....	SB 64
maintenance, revolving loan fund, all dam owners allowed .....	HB 428
property, acquisition by fish and game department .....	HB 111am

**Danbury**, outdoor advertising, Ragged Mountain Pacific, LLC, placement of sign .....

SB 62

**Davis-Bacon Act compliance**, public works projects, expenditure for temporary personnel .....

HB 25

**Day care agencies**, licensed, employees and volunteers, criminal history check required .....

SB 173

**Deaf persons**, hearing care providers, licensure and renewal of fees .....

HB 654

**Deaths**

- custody and control of remains, order of priority by next of kin changed, requirements..... HB 102
- disposal of human remains by alkaline hydrolysis regulated; facility license required..... HB 316
- end of life decisions, study ..... HB 403am

**Debt collection practices, study** ..... HB 339am

**Deer, baiting and feeding prohibited** ..... HB 258

**Defense of Marriage Act, unanimous consent, remarks by Rep. Steve Vaillancourt**..... 949

**Definitions**

- “cigarette” redefined to match definition under the Master Settlement Agreement..... HB 488
- “department” shall not apply to execution of constitutional duties of the secretary of state..... HB 186
- “qualified institutions,” how financial institutions are audited and inspected..... HB 559
- “solitary confinement”..... HB 480
- “student athlete” and “student sports” for the management of concussion and head injury ..... HB 180
- child in need of services, broader definition restored ..... HB 358
- community ..... HB 215
- compensation, redefined for business enterprise tax ..... HB 2am
- employment, in regards to unemployment compensation law, house of representatives..... HB 310
- focus school ..... SB 48am
- gifts, certain items provided to state legislators excluded..... HB 170
- ..... HB 410
- hospital, in context of medical services for county prisoners ..... HB 131
- lead sinkers and jigs..... SB 89
- life-sustaining treatment ..... SB 170
- mixed use school bus, modified ..... HB 282
- “municipally-owned utility” for relocating underground necessitated by highway projects..... SB 188
- negligence, regarding animal treatment..... HB 497
- non-deadly force ..... HB 135
- parcel..... HB 117
- payroll card account..... SB 100
- political committee ..... HB 392
- political committee ..... SB 120
- priority school..... SB 48am
- public officials for lobbyist restrictions..... HB 268
- push-polling, modified..... SB 196
- renewable generation facility for payment in lieu of property tax payments..... SB 179
- shelter care facility, juvenile delinquency and children in need of services ..... SB 129

**DeMeo, Lt. Paul, unanimous consent, memorial remarks by Rep. Frederick Rice**..... 793-794

**Dental care**

- dental therapists, licensure authorized ..... SB 193
- hygienists, misconduct investigations, dentistry board authority ..... HB 190
- insurance, non-covered services, services at a fee set by insurer not required to be provided..... SB 169
- prosthetic and orthodontic appliances, markings identifying the patient required..... HB 205

**Dentists, and hygienists, assault against, extended term of imprisonment** ..... HB 217

**Derry, tax collector and treasurer positions may be combined**..... HB 506am

**Diabetes, school nurse or other school personnel may administer glucagon injections** ..... HB 494

**Diesel locomotives, idling prohibited; exceptions**..... HB 508

**Dietitians, licensure and renewal of fees** ..... HB 654

**Disability, governor’s commission, assistance program, appropriation for administration** ..... HB 2

**Disabled****children**

- special education program approval and monitoring system in 2015..... SB 27
- support, beyond age 18, court to initiate or continue..... HB 528
- general court policies and procedures, study..... HB 602
- permanently and totally, state supplemental programs (SSP), study..... HB 557
- property tax deferral, paid to municipality granting deferral upon sale of property ..... HB 655
- public assistance, exclusivity of aid repealed..... SB 146
- veterans, special number plates without charge in lieu of disabled veteran plates ..... HB 163
- workers’ compensation, weekly payment changes ..... HB 439

<b>Discrimination</b> , hiring, based upon individual's unemployment status, prohibited .....	HB 350
<b>Diseases</b>	
alzheimer's disease and other dementias, statewide plan to address needs, study .....	HB 417
autism, council on autism spectrum disorders, members added; duties clarified .....	HB 236
children with chronic health conditions, council; member added; reporting date changed .....	SB 171
diabetes, school nurse or other school personnel may administer glucagon injections .....	HB 494
myopia, prescribing distance lenses for children, progression warning required .....	HB 378
<b>District courts</b> , criminal complaint, false statement by officer may be prosecuted .....	HB 407
<b>Divorce</b>	
alimony awards, criteria; renewal request within 5 years of the divorce decree .....	HB 604
court appointed advocates for children in divorce (CAACD) corporation established .....	HB 681
<b>Dogs</b>	
greyhound racing, simulcast, pari-mutuel, prohibited when injury records not available .....	HB 564
licenses	
group licenses for dog owners repealed .....	HB 109
manufactured housing parks and condominium associations to access registration records .....	HB 108
restaurants, companion dogs allowed in outdoor areas .....	HB 390
sales, health certificate within 14 days; provision repealed .....	HB 328
unlicensed, penalty increased .....	HB 641
<b>Domestic violence</b>	
arrest procedures changed .....	HB 502
law enforcement, intervention, criminal complaint filing required .....	HB 503
petitions, jurisdiction from superior court removed .....	SB 69
<b>Driver education instructors</b> , criminal background checks; references updated .....	HB 282
<b>Drug abuse</b> , counselors, licensure and renewal of fees by statute .....	HB 654
<b>Drugs</b>	
disposal of controlled drugs by law enforcement officers, procedure amended .....	SB 44
industrial hemp not to be designated as controlled substance .....	HB 153
marijuana	
possession and use, penalties removed .....	HB 337
possession of small amount, penalty amended .....	HB 621am
purchase and use allowed and regulated; tax on sale .....	HB 492
therapeutic use, possession; prohibitions and limitations, administration .....	HB 573am
illegal	
health care workers, certain, mandatory drug testing .....	HB 597
testing for Temporary Assistance to Needy Families (TANF) recipients required .....	HB 121
offenses, forfeiture of drug-related items allocated to cold case homicide unit .....	HB 661
pharmacies, generic equivalent, substitution required if paid by state funds; exception .....	SB 140am
prescription	
benefits for workers' compensation, pharmacy fee reimbursement formulas .....	SB 95
compounding by pharmacists regulated .....	HB 313
controlled drug prescription health and safety program, advisory council, member added .....	SB 83
controlled, schedule III, 34-day limit on refills clarified .....	HB 633
electronic, 48-hour exception process, approved and filled if exceeds 48-hour period .....	SB 45
electronic, technical correction .....	HB 594am
generic equivalent required; exceptions .....	SB 147am
health benefit plan, multiple failures prohibited .....	SB 92
insurers requiring use for an indication not approved by FDA prohibited .....	SB 91
pharmacy benefits manager, regulation, study .....	SB 117am
purchase up to 90-day supply at pharmacy of choice .....	HB 584
use and misuse in workers' compensation cases, study .....	SB 71
<b>Durable power of attorney</b> , life-sustaining treatment .....	SB 170

## E

### E-ZPass regional toll collection system

Purple Heart toll pass for qualifying veterans .....	HB 244
terminology and penalties; legislative approval for installation of electronic tolling .....	SB 160am

**Economic development**

- advisory council
  - duties, mission revised; members..... HB 505
  - technical correction ..... HB 261am
- community revitalization tax relief program, historic structure rehabilitation included ..... SB 80
- Coos county job creation tax credit on business enterprise tax, extended ..... HB 676am
- state bank established ..... HB 320

**Education**

- adequate, funding, grants, amount to municipalities increased ..... HB 2am
- alternative building aid, suspended for biennium; waiver ..... HB 2
- building aid, grants,
  - criteria for approval and calculation amended; security criteria added ..... HB 629am
  - funds received subtracted from total project costs ..... SB 27am
  - “high performance school” designation procedure established ..... HB 629
  - moratorium, White Mountain Regional school district, exempt ..... HB 570
  - priority for a high school with probationary or revoked accreditation status ..... HB 626
- business enterprise and business profit tax
  - education tax credit program repealed ..... HB 370
  - education tax credit repealed ..... HB 2
- charter schools, board of education approval, moratorium July 1, 2013 to June 30, 2015 ..... HB 2am
- choice, out-of-district school, policy established ..... HB 631
- department
  - 2009 capital improvements appropriation purpose amended ..... HB 25am
  - appropriation, career and technical student organizations ..... HB 270
  - capital improvements appropriation; lapse dates extended ..... HB 25
  - career schools, licensing and regulation moved to employment security department ..... SB 162
  - funding, high schools, support robotics programs for biennium ..... HB 2
  - funding, UNH, to support the NH leadership program for the biennium ..... HB 2
  - higher education needs-based scholarship program established ..... HB 2
  - rulemaking authority for tuition waiver and scholarship programs ..... SB 134am
  - special education program approval and monitoring system in 2015, evaluation required ..... SB 27
- dual enrollment programs, study ..... HB 471
- funding
  - distribution for certain municipalities for fiscal year 2013 ..... SB 40
  - education property tax, collection transferred from towns to revenue administration ..... HB 318
  - general court to define standards and accountability, determine level and allocate ..... CACR 7
  - school district special meetings to consider changes, procedures ..... HB 2
  - school districts, special meetings necessitated by changes authorized ..... HB 269am
  - video lottery and table gaming proceeds to education trust fund ..... SB 152
- health and sex education, policy allowing exception for moral beliefs ..... HB 201
- high schools
  - Alvirne, vocational technical center renovations ..... HB 679
  - college courses completed counted in grade point average ..... HB 213
  - equivalency testing, replaces reference to GED ..... SB 97
  - mathematics, 4 years required for graduation ..... HB 533
  - statewide assessment for graduation, proficiency level or above required ..... HB 321
  - students enrolled in college courses eligible for extracurricular activities ..... HB 214
- higher
  - American University of Madaba, degree granting authority ..... SB 18
  - armed forces, academic credit for military experience, policy developed ..... HB 519
  - armed forces, national guard scholarship appropriation ..... HB 615
  - armed forces, national guard scholarship fund, amended ..... HB 524
  - career schools, licensing and regulation to employment security ..... SB 162
  - commission, revised; higher education fund established ..... SB 134am
  - excess receipts may be expended ..... HB 1
  - in-state tuition, students without lawful immigration status; procedures ..... HB 474
  - industrial cooperative program development at UNH, study ..... HB 537
  - needs-based scholarship program established ..... HB 2
  - parental agreement on college contributions, court approval and enforcement ..... HB 554
  - private postsecondary career schools, student tuition guaranty fund repealed ..... SB 162am
  - remedial education courses, reports required ..... HB 300
  - security required to report certain felony offenses to law enforcement agency ..... HB 125
  - UNIQUE endowment allocation program, funding provision repealed ..... HB 2am

**Education (cont.)**

## higher (cont.)

University of NH system, administration changed .....	HB 603
University of NH system, Scholars Program for high school students, established .....	HB 642
home schooling, home education advisory council, membership amended .....	HB 251
illiteracy, provision requiring ages 16 to 18 years to attend special school repealed .....	SB 97
kindergarten construction program, bonds authorized .....	HB 25am
literature from patriotic organizations, access to school-approved means of communication .....	HB 223
performance based accountability, statute amended; local improvement fund repealed .....	SB 48am
public schools	
competency-based system, study .....	SB 82
mental health examination, parental consent required .....	HB 384
patriotic exercises on federal Constitution Day required .....	HB 159
statewide assessment, proficiency required for advancement to grades 4 and 8 .....	HB 322
school board truancy policies, requirements added .....	HB 2
school boards, teacher performance evaluation system, teachers and principals .....	HB 142am
school district membership data, verification procedures changed; board to develop .....	HB 317
school districts, cooperative, budget committee, procedure for filling vacancy modified .....	HB 115
school nurse or other school personnel may administer glucagon injections .....	HB 494
special	
program approval and monitoring system in 2015, evaluation required .....	SB 27
school districts, aid requirements amended .....	HB 344
state board, health and sex education, exception by parent or legal guardian required .....	HB 161
trust fund	
estimate of unrestricted revenue .....	HB 1
.....	HR 8
revenues from keno .....	HB 485
vocational tuition and transportation payments exclusively used for vocational education .....	HB 563

**Elderly**

## and adult services

county nursing homes, eligible for services, payments for fiscal years 2014-2015 .....	HB 2
home care providers, no new license if change to office vocation within licensure period .....	HB 2am
block grant clients income eligibility raised by annual cost of living adjustments to benefits .....	HB 2
congregate housing and services suspended .....	HB 2
drivers	
examination, study .....	HB 263
medically unfit, person reporting immune from civil or criminal liability .....	HB 263am
property tax, deferral, paid to municipality granting deferral upon sale of property .....	HB 655
public assistance, exclusivity of aid repealed .....	SB 146
state supplemental programs (SSP), study .....	HB 557

**Elections**

## absentee voting

another person may deliver marked ballot to city or town clerk .....	HB 265
candidates obtain absentee voter applicant information from secretary of state or town .....	HB 412
certain restrictions for processing absentee ballots eliminated .....	HB 183
early processing at state elections, study .....	HB 248
Article V constitutional convention delegates, scope of amendments considered, limited .....	HB 219
ballot measures in plain English .....	HB 601
campaign contributions and expenditures	
definitions amended; political committee reporting requirements .....	HB 392
fund established for certain eligible candidates .....	HB 250
limits amended; definition of political committee modified; reporting requirements modified .....	SB 120

## candidates

documentation of disqualifications due to incapacitating physical or mental disability .....	SB 76am
filing requirements clarified; primary candidate must be a registered voter .....	HB 309
political committees, donations to candidates and political committees, itemized list .....	HB 380
checklists, deadline for sending copies to state archives extended .....	HB 352
electoral college, interstate compact to elect US President by national popular vote .....	HB 148

## financing

Congress, amendment that human beings, not corporations have constitutional rights .....	HCR 2
Congress, amendment that human beings, not corporations have constitutional rights .....	SCR 1
urging Congress for amendment for states and Congress authority to regulate .....	HR 7

**Elections (cont.)**

## house of representatives

districts reapportioned in Belknap, Hillsborough, and Merrimack counties..... HB 448

districts reapportioned in Hillsborough county..... HB 197

inspectors duties summarized..... HB 151

inspectors of election, town and city clerks may appoint; term of office start date changed..... HB 351

## laws

and procedures, study..... HB 521

technical changes..... HB 308

municipal budget law, appropriation limitations, budget committee recommendations..... HB 122

person incarcerated for crime forbidden to hold office in NH..... CACR 5

political advertising, removal restrictions modified..... HB 206

political committee, definition modified..... HB 392

presidential primaries, 100th Anniversary of the NH Presidential Primary..... HR 10

primaries, nominations, disclosure statement required..... HB 612

push-polling, definition modified..... SB 196

straight ticket voting allowed at state general elections..... HB 143

town and school district, official ballot form, inspectors appointed serve as ballot clerks..... HB 150

voter distributing an image of his or her marked ballot prohibited..... HB 366

## voter identification

changes to laws to take effect September 1, 2013 repealed; various provisions modified..... SB 183

expenditure of funds by secretary of state for implementation of laws prohibited..... HB 2am

photo id, changes to laws scheduled to take effect September 1, 2015, repealed..... HB 595am

requirements eliminated..... HB 287

## voter registration

database information for preparation of jury lists, clarified..... HB 294

form modified; domicile claim not conclusive of residence for any legal purpose..... HB 119

forms and procedures modified..... HB 600

qualified voter and domicile affidavits eliminated..... HB 466

**Electric power**

electric renewable portfolio standards law amended; study..... SB 148

electric transmission facilities certificates, applications, moratorium..... HB 586

electric utility investment in distributed energy resources, requirements..... HB 374

## energy

electric renewable portfolio standards law amended; renewable energy fund, study..... HB 542am

Green Launching Pad at University of NH, funding from renewable energy fund..... HB 2

public utilities commission, transmission lines underground; public need..... HB 166

regional greenhouse gas initiative, low-income core energy efficiency program allocated..... HB 630am

regional greenhouse gas initiative, energy efficiency projects..... SB 123am

retail service stations, wiring to support generators or alternate power sources required..... HB 130

energy efficiency and clean energy districts, laws, amended..... HB 532

energy facility site evaluation certificates, public approval required..... HB 484

energy facility site evaluation committee, issuing certificates..... HB 449

energy facility site evaluation committee, regulatory criteria for siting of facilities..... SB 99am

generation facilities, apportionment formula for cooperative school districts, study..... HB 305

group net metering for limited producers; group host to control costs of certain customers..... SB 98am

installation of smart meters without property owner's consent prohibited..... HB 454

renewable generation facility, payment in lieu of property tax payments..... SB 179am

## state energy

positions consolidated, study..... SB 178

strategy established..... SB 191am

transmission lines placed within state transportation rights-of-way..... HB 569

transmission lines to be buried..... HB 568

transmission lines and wind turbine plants, construction moratorium..... HB 580

**Electricians**, joint board, licensing, transfer date changed..... SB 28am**Electrologists**, licensure and renewal of fees by statute established..... HB 654**Electronic devices**, portable, sales, insurance claims adjusters regulated, clarified..... SB 94**Electronic Fund transfers**, Article 4A and Electronic Fund Transfer Act..... SB 161**Electronic tracking devices**, use without consent or court order prohibited; exceptions..... HB 592**Elevators**, or accessibility lifts, mechanic, license requirements amended..... HB 385

**Emergencies**

appropriation to safety for emergency management administration; extended .....	HB 2am
critical incident stress management and crisis intervention services, confidential.....	SB 166
enhanced 911 system, reporting drug or alcohol related, legal immunity provided .....	HB 118
fire standards and training and emergency medical services division, fund transfers .....	HB 285
federal grants collected and appropriated to the transportation for biennium.....	HB 2
NH citizen emergency response teams in Rockingham county, pilot program established .....	HB 279
NH disaster relief fund established.....	SB 157

<b>Emergency management assistance compacts, repealed .....</b>	<b>HB 493</b>
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<b>Emergency medical and trauma services, fish and game conservation officers, excluded.....</b>	<b>SB 184</b>
--	---------------

**Emergency medical technicians**

negligence claims, limitation of liability extended.....	HB 123
motor vehicle accidents, alcohol concentration tests on persons authorized.....	SB 81

<b>Emergency services, critical incident stress management and crisis intervention services .....</b>	<b>SB 166</b>
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<b>Emergency services and communications division, fund transfers authorized.....</b>	<b>HB 285</b>
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<b>Emissions, motor vehicles, idle reduction technology, vehicles allowed additional weight.....</b>	<b>HB 196</b>
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**Employment security**

department	
capital improvements appropriation .....	HB 25
career schools, licensing and regulation moved from education department.....	SB 162
commissioner to send notices and determinations by first class mail.....	HB 359
deputy commissioner position established .....	HB 2
family leave insurance program established, study.....	HB 551
new hire reports, required for break in service of more than 60 days .....	HB 440
self-employment assistance program, allowance in lieu of regular benefits.....	SB 143
unemployment compensation fund, former and current employers to make joint restitution .....	HB 360

**Energy**

district energy system, hot water companies exempt .....	SB 74
electric power	
efficiency and clean energy districts, laws, amended .....	HB 532
electric renewable portfolio standards law amended; study.....	SB 148
energy facility site evaluation committee, adopt rules by January 1, 2015 .....	SB 99am
generation facilities, apportionment formula for cooperative school districts, study .....	HB 305
Green Launching Pad at University of NH, funding from renewable energy fund .....	HB 2
group net metering for producers; customer generator to control energy costs .....	SB 98am
installation of smart meters without property owner's consent prohibited .....	HB 454
public utilities commission, transmission lines underground; public need.....	HB 166
regional greenhouse gas initiative, energy efficiency fund to low-income program .....	HB 630am
regional greenhouse gas initiative, energy efficiency projects.....	SB 123am
renewable generation facility, payment in lieu of property tax payments .....	SB 179am
renewable portfolio standards amended; renewable energy fund; study.....	HB 542am
renewable sources, wind, electric generation and transmission facilities, study .....	SB 99am
retail service stations, wiring to support generators or alternate power sources.....	HB 130
transmission facility certificates, applications, moratorium established .....	HB 586
transmission lines, wind turbine plants, construction moratorium.....	HB 580
utility investment in distributed energy resources, certain requirements changed.....	HB 374
state, positions consolidated, study.....	SB 178
state, energy strategy established.....	SB 191am
state policy development, commission established .....	HB 306

**Energy facility site evaluation committee**

certificates, public approval required .....	HB 484
economic impact and findings, recommendations prior to issuing a certificate.....	HB 449

<b>Engineers, STEM scholars program, University of NH system, established.....</b>	<b>HB 643</b>
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**Enhanced 911 system**

reporting drug or alcohol related emergencies, legal immunity provided.....	HB 118
surcharge collected from certain prepaid cellular telephones.....	HB 284

**Environment**

fertilizers, containing nitrogen and phosphorus, limit on retail sale and use on turf.....	HB 393
regulation, overlap of federal, state, and local, study.....	HB 516



**Environmental services**

- 2007, 2010 capital improvements appropriations purposes amended ..... HB 25am
- appeals board established ..... HB 663
- capital improvements appropriation; dates extended ..... HB 25
- dams
  - maintenance, revolving loan fund, dam owners allowed to receive ..... HB 428
  - property acquisition ..... HB 111am
  - grants, discontinue first in, first out delayed and deferred infrastructure project list; study ..... HB 2am
  - notification of wood stove removal required upon sale of home ..... HB 307
- regional greenhouse gas initiative
  - modified ..... HB 306am
  - proceeds, municipal and local government energy efficiency projects ..... SB 123am
  - public utilities commission, proceeds from energy efficiency fund to low-income core ..... HB 630am
  - repealed ..... HB 630
- road salt applicators
  - commercial, certification ..... HB 2am
  - commercial, certification option ..... HB 523
- waivers for lot loading or setback distances in condominium conversions allowed ..... HB 158
- waste management, underground storage facilities, repeat examination prohibited ..... HB 628
- water
  - public systems, installation of backflow prevention device required ..... HB 510am
  - wastewater and landfill closure projects, state aid ..... HB 623
  - wastewater and public water supply projects, state aid, projects not funded in 2012-2013 ..... HB 397
  - wetlands, integrated land development permit ..... SB 124
- Epsom**, Northwood Lake dam, acquisition by environmental services department ..... HB 111am
- Equalization standards board**, repealed; duties transferred to assessing standards board ..... HB 181
- Errol**, Akers Pond dam, acquisition by fish and game department ..... HB 111
- Estates**
  - assets, valued at less than \$10,000, disposition ..... HB 238
  - bond requirement, health and human services exempt ..... HB 2am
  - priority, reimbursement to health and human services for financial or medical assistance ..... HB 2am
  - recovery of patient care expenses from health and human services office of reimbursement ..... HB 2
- Estheticians**, shop license, one year experience requirement removed ..... HB 376
- Ethanol**, corn-based gasoline additive sold in NH, banned ..... HB 362
- Ethics**
  - committee, legislative, chair and vice-chair selected from members, required ..... HB 415
  - general court
    - legislative committee, update rules, procedures, and laws, study ..... HB 410am
    - members, gifts, acceptance requirements revised ..... HB 415
    - requirements and procedures for legislators and employees separate from executive branch ..... HB 548
- Evans Pond**, renamed from Blood Pond in Lancaster ..... HB 157am
- Everett turnpike**. **See: Central NH turnpike**
- Evidence**, rules, adopted for family division of the courts ..... HB 605
- Excavating**
  - wetlands
    - highway maintenance, damages to private property, procedure established ..... HB 543
    - permits, appeal process shortened ..... HB 416
    - permits, application fee limited for municipal dredging projects ..... HB 507
- Executive branch**, commissioners, orientation and training by governor's office ..... HB 141
- Executive council**
  - election results ..... 17-18, 36
  - salaries increased ..... HB 2am
- Executors and administrators**
  - authorized to take control of decedent's social media accounts ..... HB 116
  - estates
    - assets, valued at less than \$10,000, disposition ..... HB 238
    - priority, reimbursement to health and human services for financial or medical assistance ..... HB 2am
- Eye care**, myopia, prescribing distance lenses for children, parental warning of progression ..... HB 378

**F****Family**

- and work, issues, taskforce, composition and duties changed..... HB 551
- court, division, study ..... HB 571
- financial assistance program for needy families (FANF), study ..... HB 557
- insurance, family leave insurance program established, study..... HB 551

**Family division of the courts**

- equity jurisdiction clarified..... HB 611
- rules of evidence adopted ..... HB 605

**Farms**

- buildings and structures, property tax exemption, local option..... HB 531
- Granite State farm to plate program established ..... SB 141
- state advisor of Future Farmers of America, position in agriculture department..... HB 632
- vehicles, drivers, federal motor carrier regulations, exempt ..... SB 159

**Federal Emergency Management Agency, grants appropriated to transportation department ..... HB 2****Federal employees, and spouses, driver's license renewal procedure clarified ..... SB 159am****Federal health care reform**

- Affordable Care Act of 2009, prohibition repealed..... HB 544
- transfer insurance under the Patient Protection and Affordable Care Act of 2009, study ..... HB 356

**Federal Unemployment Tax Act, worksharing reporting requirements changed ..... HB 361****Ferrets, sales, accompanied by health certificate within 14 days ..... HB 328****Fertilizers, containing nitrogen and phosphorus, limit on retail sale and use ..... HB 393****Film and television commission, transferred to resources and economic development..... HB 561****Financial institutions, audits defined; notice of security breaches; criminal check required ..... HB 559****Financial Resources Mortgage, Inc., fraud, recovery fund for victims; appropriation ..... SB 180****Fines**

- motor vehicle violations
  - credited as agency income and not lapse until the second year of biennium ..... HB 2am
  - pleas by mail credited to general fund, repealed..... HB 2am

**Fioli, Carlo Basner, petition filed on behalf of ..... 72****Fire marshal**

- appointment process clarified; gender neutral references added; authority to issue citations..... HB 156
- hazardous material accidents, liability for response explained ..... HB 577
- title limited to state fire marshal, repealed ..... HB 216

**Fire sprinkler systems, voluntary installation as condition of local permit approval ..... HB 278****Fire standards and training**

- and emergency medical services
  - emergency services and communications division, fund transfers authorized..... HB 285
  - funds over budget estimate transferred ..... HB 2
- North Country, establishment of fire training facility, appropriation extended ..... HB 2am

**Firearms**

- civil immunity provided to owner if used in commission of felony or misdemeanor ..... HB 388
- discharge in compact part of town or city, events or national holidays authorized ..... HB 498
- pistols and revolvers
  - license to carry requirement repealed..... HB 451
  - license to carry, nonresident fee reduced ..... HB 382
  - unlicensed persons prohibited from openly carrying in public building..... HB 290
- possession, schools, employees, policies and procedures ..... HB 609
- purchase, safety training or instruction prior to acquisition required, study ..... HB 396
- relinquishment as condition of bail, judge's authority limited..... HB 209

**Firefighters**

- children of, rulemaking authority for tuition waiver and scholarship programs ..... SB 134am
- hazardous materials accidents, liability for response explained..... HB 577
- negligence claims, limitation of liability extended..... HB 123

**Fireworks, certain devices prohibited; retailers to distribute safety information; penalties ..... HB 336**

**Fish and game**

conservation officers, excluded from emergency medical and trauma services requirements.....	SB 184
dams, property acquisition.....	HB 111
department	
business division established.....	HB 2
capital improvements appropriation; lapse dates extended .....	HB 25
new divisions established.....	HB 2
sustainability, study.....	HB 2
.....	HB 588am
utilization of certain funds to support staff costs permitted.....	HB 2
department sustainability, study; report date extended.....	HB 256am
deputy conservation officers, serving 8 hours per month without compensation removed .....	HB 256am
fishing, lead sinkers and jigs, definition clarified; prohibited sales, penalties.....	SB 89
fund	
amount deposited in certain funds reduced before excess deposited.....	HB 2
estimate of unrestricted revenue.....	HB 1
.....	HR 8
unrestricted revenue transferred from general fund .....	HB 2am
hatchery vending machines, moneys collected to be used for additional purchases .....	HB 2
hunting and recreational activity, liability of landowners .....	SB 108am
hunting, deer, baiting and feeding prohibited.....	HB 258
interstate wildlife violators compact adopted.....	SB 133
law violations, \$10 surcharge on all fines issued.....	HB 256
licenses	
certain provisions repealed relating to lifetime licenses .....	HB 2
recreational saltwater fishing charter and party boats, fee increased.....	HB 2
shrimp, commercial.....	SB 122
special, taking of lobsters by recreational scuba divers.....	HB 259
minimum flat fee established for search and rescue response, exceptions.....	HB 256
search and rescue fund	
funding, study; voluntary hike safe card established .....	HB 256am
pay of employees engaged in search and rescue operations .....	HB 199
wildlife, solid waste storage and disposal, wildlife resistant containers required.....	HB 276

**Flags**

Civil War, preservation, funds from production of Civil War commemorative bottle .....	SB 155am
state, national Honor and Remember Flag adopted.....	HB 233am
state, national Honor and Remember Flag adopted.....	SB 88

**Flockhart, Hon. Eileen**, unanimous consent, memorial remarks for Hon. James Kennedy ..... 129

**Flood control**

Connecticut and Merrimack River flood control compacts, transfer of funds .....	HB 2am
reimbursement to towns, prospective repeal repealed .....	HB 2

**Floods**

Alstead, lower Warren Brook restoration project, approved; public use study extended .....	SB 57
mitigation, interstate compacts, recovery of moneys owed to NH by Massachusetts.....	HB 581
property held in another town for water works or flood control, voluntary agreement.....	SB 58

**Food**

dietitians, licensure and renewal of fees by statute .....	HB 654
genetically engineered, labeling requirements.....	HB 660
Granite State farm to plate program established .....	SB 141
homestead operations exempt from licensure to label.....	HB 177
organic on-farm processor or handler certification fees.....	HB 177am
poultry and rabbits, regulations; sales to restaurants allowed .....	HB 608

**Food and Drug Administration**, prescriptions, indication not approved by FDA prohibited.....SB 91

**Foreclosures**, notice of sale, content amended ..... HB 301

**Forests**

and lands division, director to qualify as permanent firemen in retirement system.....	HB 2
White Mountain National Forest, special use permits for property .....	SCR 1

**Foster care**

children, rulemaking authority for tuition waiver and scholarship programs .....	SB 134am
reimbursement rates, total child support obligation .....	HB 536
study .....	HB 405

<b>Foster grandparent program</b> , reimbursement suspended.....	HB 2
<b>Franchises</b> , motor vehicle manufacturers, distributors, and dealers, business practices revised.....	SB 126
<b>Franconia Notch state park</b> , war memorial, standards of care .....	HB 233
<b>Franklin A. Partin, Jr.</b> , right to work act .....	HB 323
<b>Fraud</b>	
financial, Financial Resources Mortgage, Inc., recovery fund for victims.....	SB 180
insurance, venue for offenses .....	HB 228
<b>Frost, Jeffrey</b> , restitution for inappropriate prosecution.....	HJR 2
<b>Fuel gas fitters</b> , licenses, propane installation and servicing combined.....	SB 116
<b>Fuels</b>	
motor, road toll increased .....	HB 2am
contingent on fuel sales decline.....	HB 437
oil discharge cleanup fund	
coverage limitation added based on facility storage; waiver of interest for good cause .....	HB 184am
fee increased .....	HB 185
oil, home heating, delivery invoice to include pricing information .....	HB 149
propane and natural gas, fuel gas fitters, regulated by mechanical licensing board .....	SB 189
use, motor vehicles, idle reduction technology, vehicles allowed additional weight.....	HB 196
<b>Funds</b> , general fund-supported debt, authorization limited.....	HB 614
<b>Funeral directors and embalmers</b>	
disposal of human remains through alkaline hydrolysis regulated; facility license required.....	HB 316
licensure and renewal of fees by statute .....	HB 654
<b>Funeral expenses</b> , payment for public assistant recipients suspended .....	HB 2am
<b>Funeral directors and embalmers</b> , custody and control of remains .....	HB 102

## G

<b>Gambling</b>	
charitable organizations	
pay-by-the-hour allowed .....	HB 459
single wager limit increased; gross revenues, no less than 35 percent retained .....	HB 314
game operators, taxes due within 5 days of charitable game of chance date.....	HB 212
games of chance, statutes governing .....	SB 75
gaming enforcement unit established in state police division .....	SB 152
gaming regulatory oversight authority, casino gaming plan; repeal repealed.....	HB 2am
keno games allowed; licensing by lottery commission; revenues to education trust fund.....	HB 485
keno games, implementation, study.....	HB 520
poker, playing in private residences allowed.....	HB 459
video lottery	
gaming oversight authority to regulate; enforcement division in safety department.....	HB 678
table gaming, two locations; permit process established; proceeds to highway fund.....	HB 665
table gaming, one location; proceeds for various programs; effects on community, study .....	SB 152am
<b>Gas</b> , licenses, propane installation and servicing combined.....	SB 116
<b>Gasoline</b>	
contingent on 50 cent per gallon decline in price, road toll increase.....	HB 437
corn-based ethanol additive sold in NH, banned.....	HB 362
road toll increased.....	HB 2am
<b>General court</b>	
appropriation reductions .....	HB 1
call for a Special Session by the Governor .....	1001
education	
duty to define standards and accountability, allocate state funds to mitigate disparities.....	CACR 7
power to authorize and fund political subdivisions to establish schools .....	CACR 6
employees, salaries increased .....	HB 2am
ethics, requirements for legislators and employees separate from executive branch .....	HB 548
fiscal committee, approval required for collective bargaining agreements .....	HB 414am
.....	SB 153

**General court** (cont.)

galleries, access by public when in session, exceptions.....	HB 129
joint legislative historical committee, state house flag restoration, study.....	SB 119am
legislative branch appropriation reductions.....	HB 1
legislative budget assistant	
performance audit for controlled drug prescription health and safety program, date changed.....	SB 83
right to know law, state agency communications clarified.....	HB 685
legislative committee, redress of grievances, procedures and authority.....	HB 613
legislative ethics committee, update rules, procedures, and laws governing ethics, study.....	HB 410am
legislator orientation committee	
membership, director of house committee services added.....	HB 140
membership, members representing minority added.....	HB 140am
lobbyists, donations, itemized list.....	HB 380
long range capital planning and utilization committee, duties repealed.....	HB 221
majority vote required for minimum wage hourly rate calculation.....	HB 127
members	
and staff, state parks and historical sites, admission fee discounts prohibited.....	SB 190am
Cannon Mountain ski passes, exempt from definition of gift.....	HB 514
ethics, gifts, acceptance requirements revised.....	HB 415
oath of office, study.....	HB 363
prohibited from acting as lobbyists for one year after leaving office.....	HB 268
policies and procedures relative to persons with disabilities, study.....	HB 602

**General fund**

estimate of unrestricted revenue.....	HB 1
.....	HR 8
funds from renewable energy fund.....	HB 2am
unrestricted revenue transferred to fish and game fund.....	HB 2am

**Genetic counselors, governing board established.....** SB 135am

**Gifts**

certain items provided to state legislators excluded.....	HB 410
honoraria, and expense reimbursements, value increased.....	HB 170

**Governor**

and council	
authority to secure federal funds for capital improvements; transfer of funds.....	HB 25
funds from general fund to safety department, required match for federal assistance.....	HB 2am
transfer of funds if general fund deficit.....	HB 2
budget address.....	161-166
call for a Special Session of the General Court.....	1001
election results.....	17-18, 36
inaugural address.....	38-41
office, orientation and training to new executive branch commissioners.....	HB 141
proclamations	
Franklin Pierce Day, Nov 23rd.....	HB 576
NH Anti-Bullying Day, 2nd Wednesday in November.....	HB 553
required to reduce appropriations for classified employees by certain amount.....	HB 2am
veto	
economic development, advisory council, duties, mission revised; members.....	HB 505
elections, certain restrictions for processing absentee ballots eliminated.....	HB 183
end of life decisions, study.....	HB 403am

**Governor's commission on alcohol and drug abuse, members added.....** HB 232

**Governor's commission on disability, appropriation for administration transferred.....** HB 2

**Grafton county, trails, OHRVs, size and weight limitations on state-owned trails.....** HB 574am

**Graham, Hon. John, unanimous consent, Memorial Day.....** 793

**Granite Strong Child and Family Task Force, established.....** HB 470

**GraniteCor, business operating within corrections; plate manufacturing fee.....** HB 646

**Granite State farm to plate program, established.....** SB 141

**Great ponds, submerged log removal, permitting process.....** SB 131

**Greenland, school district, meeting and election March 11 and 12, 2013 ratified.....** HB 139am

<b>Greyhound racing</b> , simulcast, pari-mutuel, prohibited when injury records not available .....	HB 564
<b>Guardian ad litem</b>	
board	
collection and analysis of performance data for each guardian ad litem.....	HB 625
complaints, referral to court required; procedures .....	HB 402
membership; duties revised; transferred to joint board of licensure and certification .....	HB 681
compensation when parties are indigent .....	HB 2
immunity provided, conditions .....	HB 387
<b>Guardians</b>	
confidentiality of probate court proceedings submitted or recorded .....	SB 106
proposed ward to pay certain fees and court costs .....	HB 426

## H

<b>Hampton</b> , route 101 named for the 101st Airborne Division Screaming Eagles .....	SB 15
<b>Hampton Beach</b> , free wifi, resources commissioner authorized to enter into contracts .....	HB 273
<b>Hansen, Hon. Herbert</b> , unanimous consent, memorial remarks by Rep. Gilman Shattuck .....	998
<b>Hawkers and peddlers</b> , local vendor ordinance violation, penalty reduced .....	HB 103
<b>Hazardous materials</b> , accidents, liability for response explained.....	HB 577
<b>Hazardous waste</b>	
landfill closure projects, state aid, funds appropriated.....	HB 623
municipal incinerators, facilities to make payments in lieu of property tax .....	SB 179am
<b>Health and human services</b>	
2001, 2007, 2009, 2011 capital improvements appropriation purpose amended .....	HB 25am
adoption assistance program, consistency with federal law and state's Title IV-E plan .....	HB 2
alcohol abuse prevention and treatment, sliding fee-scale for voluntary services .....	HB 2am
appropriation reduction if revenues are less than expected.....	HB 1
capital improvements appropriation; lapse dates extended .....	HB 25
certificate of need review board, membership changed; report requirements .....	HB 2am
child in need of services, definition and petition filing procedures revised.....	HB 2
children	
dependent, aid to 2-parent families, program established.....	HB 261
in need of services, CHINS program amended .....	HB 260am
supervised visitation centers, license required .....	HB 478
youth, and families division, services, placements, and programs.....	HB 2
children in need of services (CHINS) program appropriation; broader definition restored.....	HB 358
commissioner	
10-year mental health plan, certain organizations to submit quarterly reports .....	HB 375
access to individualized budget for persons receiving state services.....	HB 2am
adverse reporting system, law clarified.....	HB 293
authority to fill unfunded positions .....	HB 2
Medicaid expansion prohibited .....	HB 271
NH access to health coverage act, rulemaking authority .....	SS HB 1
operating and service consolidation initiatives required; reporting requirements.....	HB 2
uncompensated care program, payment methodology, report requirement repealed .....	HB 2
community mental health services, low service utilization, benefits per person limited .....	HB 2
controlled drug prescription health and safety program, advisory council, member added.....	SB 83
controlled drug prescription, schedule III, 34-day limit on refills clarified.....	HB 633
department	
paying care providers at the Chase Home for Children; supreme court order.....	HB 486
tobacco use prevention and cessation program, fund established .....	HB 490
electronic prescriptions, 48-hour exception process, approved and filled if exceeds .....	SB 45
electronic prescriptions, technical correction .....	HB 594am
estates, bond requirement, exempt.....	HB 2am
financial or medical assistance, priority of estate reimbursement established .....	HB 2am
health care facilities, intermediate care facility assessment used for long-term care services.....	HB 2
home care providers, patients' bill of rights; parameters for discharge or transfer.....	SB 87
impaired driver education program (IDEP) eliminated .....	HB 2am
long-term care facilities, cost of care recovery .....	SB 138
mandatory drug testing for certain health care workers .....	HB 597
marijuana, administration of therapeutic use; registration identification card fund .....	HB 573am

**Health and human services (cont.)****Medicaid**

breast and cervical cancer program suspended .....	HB 2
enhancement tax, special hospitals for rehabilitation exempt .....	HB 2am
enhancement tax, uncompensated care fund, allocation and use modified .....	HB 2
expansion, eligibility, commission established, study .....	HB 2am
family planning expansion implemented .....	SB 194
innovation in Medicaid delivery (I-MD) commission established; report requirements .....	HB 2am
long-term care services for elderly, analyze costs, commission established .....	HB 2am
reimbursements, law repealed .....	HB 2
review and report reimbursement rates, requirement repealed .....	SB 24
state plan amendment, to seek federal approval for assistance to newly eligible populations .....	HB 2
state plan amendment, to suspend catastrophic aid payments to hospitals .....	HB 2
state plan amendment, to suspend direct graduate medical education payments to hospitals .....	HB 2
state plan amendment, to suspend indirect graduate medical education payments to hospitals .....	HB 2
Medicaid management information system (MMIS) implementation project, revised .....	HB 2
medical assistance program, independent review process restored .....	HB 462
medical support obligation and self-support reserve in child support cases, calculation clarified .....	SB 25
palliative care, quality of life initiatives, study .....	SB 17
program eligibility standards, changes require fiscal committee approval .....	HB 2am
reimbursement to hospitals for providing certain services under contract .....	HB 2am
reimbursements office	
duties clarified; information collecting relative to filing financial statements allowed .....	HB 2
recovery of patient care expenses from estates .....	HB 2
social services block grant for elderly and adult clients, income eligibility raised .....	HB 2
Sununu Youth Services Center	
appropriation reductions, plan to fiscal committee of the general court .....	HB 1
report to fiscal committee on potential uses .....	HB 2am
usage report to legislature required .....	HB 260am
temporary assistance to needy families (TANF), recipients, drug testing required .....	HB 121
transfer of funds allowed .....	HB 2
transfer of funds within and among accounts authorized .....	HB 2am

**Health care**

10-year mental health plan, quarterly reports to commissioner .....	HB 375
children with chronic health conditions, council; member added; reporting date changed .....	SB 171
cities and towns, Patient Protection and Affordable Care Act of 2009, study .....	HB 355
county prisoners, medical services, rate agreements, negotiation by superintendent allowed .....	HB 131
facilities	
adverse reporting system, law clarified .....	HB 293
authorized to dispense medication, equipment, and therapies .....	HB 452
certificate of need review board, membership amended .....	HB 677
certificate of need, nursing homes, new and rehabilitation beds, moratorium extended .....	HB 2
mandatory drug testing for certain health care workers .....	HB 597
medical technician registration board established .....	HB 658
nursing and intermediate care facility assessment used for long-term care services .....	HB 2
facilities and providers, direct care price disclosure for self-pay patients required .....	HB 476
home health care facilities, licensure and renewal of fees by statute established .....	HB 654
interference with access to medical and health insurance by government officer prohibited .....	HB 218
life-sustaining treatment .....	SB 170
naturopathic, licensure and renewal of fees by statute established .....	HB 654
NH access to health coverage act, state-based health benefit marketplace .....	SS HB 1
prisoners, county and state, costs, reimbursement procedures amended .....	HB 432
providers, no new license to change office location within licensure period; fee decreased .....	HB 2
reform, Patient Protection and Affordable Care Act of 2009, prohibition repealed .....	HB 544
state transfer insurance under Patient Protection and Affordable Care Act of 2009, study .....	HB 356
telehealth technology, use barriers, resolution, study .....	HB 556
veterans, Congress urged to fund a comprehensive health care delivery system .....	HCR 1
veterans, Congress urged to fund a comprehensive health care delivery system .....	SCR 1
worker, assault against, extended term of imprisonment .....	HB 217

<b>Health clubs, regulations amended .....</b>	<b>HB 529</b>
--	---------------

**Health services planning and review board. See: Certificate of need**

<b>Hearing impaired, hearing care providers, licensure and renewal of fees .....</b>	<b>HB 654</b>
--	---------------

<b>Heating equipment personnel</b> , voluntary certification by mechanical licensing board .....	SB 189
<b>Heating system certification advisory committee</b> , building code review board .....	SB 93
<b>Hemp</b> , industrial, not designated as controlled substance .....	HB 153
<b>Henry, Wade</b> , petition filed on behalf of .....	72
<b>Hermit Lake dam</b> , acquisition in Sanbornton by environmental services department .....	HB 111am
<b>Hess, Hon. David</b>	
unanimous consent, memorial remarks for Hon. Warren Rudman .....	130-131
unanimous consent, Civil War .....	947-948
<b>High risk pool</b> , association, dissolution .....	HB 526am
<b>Higher education fund</b> , excess receipts may be expended .....	HB 1
<b>Highway fund</b>	
allocation suspended .....	HB 2
appropriation to transportation department for resurfacing portion of East Conway Road .....	HB 340
balance, transportation commissioner reports to various committees, governor and council .....	HB 1
capital improvements appropriations for transportation and safety departments .....	HB 25
estimate of unrestricted revenue .....	HB 1
.....	HR 8
<b>Highways</b>	
all-terrain vehicles, OHRVs, public access for food, fuel, and lodging, study .....	SB 67
and bridges, construction, fund from video lottery and table gaming .....	HB 665
and bridges, construction, fund from video lottery and table gaming .....	SB 152am
appropriations for highway projects modified .....	SB 160
bridges	
Memorial Bridge in Portsmouth, appropriate signage, funding authorized .....	HB 25am
overpasses, and exits, sale of naming rights, study .....	HB 534
class V, village districts with more than 3 miles eligible for highway and bridge aid .....	HB 425
construction aid, payments to municipalities adjusted based on estimated revenue .....	HB 2am
.....	HB 617
department inventory fund, changed to transportation department inventory fund .....	SB 28
driveway permits, administrative procedure, rules .....	HB 117
East Conway Road, repair, appropriation .....	HB 340
I-93, speed limit 70 miles per hour .....	HB 146
motor vehicle road toll, alternatives for funding highways and bridges, study .....	HB 617am
motorist service signs, program, rulemaking exemption .....	SB 29am
"municipally-owned utility" relocating underground necessitated by highway projects .....	SB 188
municipal road and bridge account established .....	HB 617
noise	
mitigation of damages, study .....	HB 391am
prohibited from projects unless levels at adjacent residences are below 65 decibels .....	HB 391
private land damages, procedure established .....	HB 543
rest areas and welcome centers	
currently closed, staffing study .....	HB 635
naming rights, sponsorship proposals solicited .....	HB 635am
revenue alternatives for funding, study .....	HB 2am
revenue credited from unrefunded tolls to highway and bridge betterment account .....	HB 2am
road salt applicators	
commercial, certification .....	HB 2am
commercial, certification option .....	HB 523
route 101, named for 101st Airborne Division Screaming Eagles .....	SB 15
speed limits increased to 70 miles per hour .....	HB 289
speed limits increased to 75 miles per hour .....	HB 291
state aid, computation formula modified .....	HB 674
state and municipal road and bridge account established .....	HB 2am
toll	
Central NH turnpike, Merrimack, ramp tolls eliminated .....	SB 3am
Central NH turnpike, Merrimack, ramp toll eliminated .....	HB 257
.....	SB 19
E-ZPass regional toll collection system, Purple Heart pass established .....	HB 244
E-ZPass regional toll collection system, terminology and penalties; legislative approval .....	SB 160am
for gasoline and diesel fuel increase .....	HB 2am
unrefunded tolls, revenue credited to highway and bridge betterment account .....	HB 617am



<b>Hillsborough county</b>	
districts reapportioned.....	HB 448
house of representative districts reapportioned .....	HB 197
<b>Historic structures</b> , taxation appraisal for qualifying buildings at market value percentage .....	SB 43
<b>Historical resources</b> , division transferred to secretary of state .....	HB 561
<b>Holder, Ralph</b> , petition filed on behalf of .....	72
<b>Home health care</b>	
facilities, licensure and renewal of fees.....	HB 654
providers, patients' bill of rights clarified; parameters for discharge or transfer.....	SB 87
<b>Homeland security and emergency management division</b> , disaster relief fund established.....	SB 157
<b>Homeland security division</b> , director and assistant director, group II retirement system status .....	HB 683
<b>Homeless</b> , person without permanent street address allowed to register vehicle.....	HB 193
<b>Homestead food license</b> , operations exempt from licensure to label .....	HB 177
<b>Homicide</b> , cold case unit, fund, forfeiture of drug-related items .....	HB 661
<b>Hooksett</b> , police commission, dissolved .....	HB 506am
<b>Hospitals</b>	
adverse reporting system, law clarified .....	HB 293
certificate of need	
nursing homes, new and rehabilitation beds, moratorium extended .....	HB 2
review board, membership amended; standard development clarified .....	HB 677
defined in context of medical services for county prisoners .....	HB 131
drug testing for certain health care workers .....	HB 597
Medicaid enhancement tax, special hospitals for rehabilitation exempt .....	HB 2am
Medicaid state plan amendment, suspend certain payments .....	HB 2
medical equipment providers to disclose cost at time of sale .....	HB 329
vehicles on property, officers authorized to disclose owner to hospital personnel .....	HB 105
<b>NH</b>	
campus master plan, long range capital planning and utilization committee duty repealed.....	HB 221
involuntary admissions, discharge timing clarified.....	HB 475
state employees, pay differential for direct care employees, not applicable.....	HB 477
reimbursement, for providing certain services under health and human services contract .....	HB 2am
temporary special fund for programs.....	HB 2
uncompensated care fund, modified .....	HB 2
<b>House of representatives</b>	
committee assignments .....	9-14
districts reapportioned in Belknap, Hillsborough, and Merrimack counties .....	HB 448
districts reapportioned in Hillsborough county .....	HB 197
districts reapportioned, independent redistricting commission established.....	HB 579
employment of personnel.....	HR 4
members, salaries and mileage, time of payment.....	HR 5
oath of office.....	6-7
request to Senate, accept and act upon concurrent and joint resolutions sent from House.....	HR 11
rules of 2012 session adopted for the 2013-2014 biennium.....	HR 1
<b>Housing</b>	
affordable, policy and regulation, study .....	SB 185
congregate housing and services suspended.....	HB 2
workforce, municipalities allocate no less than 5 percent of their dwelling units .....	HB 215

## I

### Identification

elections, changes to laws to take effect September 1, 2013 repealed; various provisions modified...	SB 183
voter identification requirements eliminated .....	HB 287
<b>Immigration</b> , employers required to use verification system to verify employee's work eligibility .....	HB 249
<b>Immunization</b> , vaccine association, law amended.....	HB 664
<b>Income tax</b>	
counties, adopted, administered by revenue administration .....	HB 330
federal, earned income tax credit, health and human services to promote awareness .....	HB 288

<b>Infantine, Hon. William</b> , unanimous consent, memorial remarks for Hon. Sahir Tahir .....	1018
<b>Information and analysis center</b> , prospective repeal repealed.....	HB 453
<b>Information practices act</b> , repealed.....	SB 127
<b>Information technology</b>	
appropriation reductions, report to fiscal committee.....	HB 1
capital improvements appropriation; status of projects required.....	HB 25
department, included in uniform electronic transactions act .....	HB 155am
Mosaic Parcel GIS system, use and cost allocation, report to House finance committee.....	HB 2am
open source software; information practices act repealed; open standards requirements .....	HB 155am
transfer of funds authorized, report to fiscal committee.....	HB 2
transfer of funds within and among accounts authorized.....	HB 2am
unencumbered balances transferred	
business one stop project funding authorized .....	HB 25am
productivity suite desktop security project authorized.....	HB 25am
<b>Insurance</b>	
accident and health	
cities and towns, transfer under Patient Protection and Affordable Care Act of 2009, study .....	HB 355
dental care, non-covered services, services at a fee set by insurer not required.....	SB 169
employers to notify working members of retirement system of limits on hours .....	HB 364am
federal reinsurance program, approval from US Health and Human Services required.....	HB 526
group and individual health insurance market rules, statute amended.....	SB 148
health insurance carriers, group and individual markets, rules amended.....	HB 668
high risk pool association, dissolution .....	HB 526am
holding companies, law updated .....	HB 511
interference with access to services of NH citizens by a government officer prohibited.....	HB 218
national guard, death benefit, benefits not extended to non-active duty personnel.....	HB 524
NH access to health coverage act, eligible, Section 1905(y) of Social Security Act of 1935 .....	SS HB 1
optometrists, choice of eye care professional allowed.....	HB 585
plan offered by state, same for employees covered by collective bargaining agreement .....	HB 2am
prescription drugs, health benefit plan, multiple failures prohibited .....	SB 92
prescription drugs, insurers requiring use for indication not approved by FDA prohibited .....	SB 91
prescription drugs, purchase up to 90-day supply at pharmacy of choice .....	HB 584
prescriptions, electronic, technical correction.....	HB 594am
property and casualty insurers, risk-based capital law clarified.....	HB 401
property or casualty, laws amended .....	HB 227
public employers may participate in state health insurance.....	HB 445
purchasing alliances, qualified, number of enrollees changed.....	HB 467
reinsurance, law amended .....	HB 231
retiree health benefit fund established; task force.....	HB 2am
retirement system, cost containment options for new employees, study .....	HB 2am
retirement system, cost containment plan and implementation by administrative services.....	HB 2
retirement system, part-time employment, definition amended .....	SB 132
small group health insurance, carriers may change rates based on age and health status .....	HB 606
state employees, benefits increased for serving in armed forces .....	HB 319
state transfer under the Patient Protection and Affordable Care Act of 2009, study.....	HB 356
state-based health exchange, prohibition repealed .....	HB 544
workers' compensation, independent medical examinations, disclosure notice .....	HB 546am
commissioner	
administrative supervision of an insurer allowed.....	HB 230
appointment of a financial examinations supervisor .....	HB 229
companies, solicitations sent with disclosure, required.....	HB 430am
department, supplemental appropriation for consumer assistance grants.....	SB 129am
family leave insurance program, study .....	HB 551
fraud, venue for offenses .....	HB 228
funding agreements issued by life insurance companies.....	HB 400
life, standard valuation law updated .....	HB 640
portable electronic devices, sales, insurance claims adjusters regulated, clarified .....	SB 94
prescription benefits required under workers' compensation, pharmacy fee reimbursement .....	SB 95
<b>Interest</b> , title loans, rate capped at 36 percent .....	HB 562
<b>Internal revenue code</b> , earned income tax credit, promote awareness .....	HB 288
<b>International Registration Plan</b> , technical corrections .....	SB 21

**Internet**

broadband infrastructure, municipal bonds, issuance requirements changed .....	HB 286
county website, access to budget information and reports .....	HB 239
internet crimes against children fund; courts.....	HB 653
lobbyists, contribution reports published by secretary of state .....	HB 406
resources commissioner to enter contract for free wifi access at Hampton Beach state park.....	HB 273
state website, charitable trusts director to include information relative to paid solicitations .....	HB 558am
telehealth technology, use barriers, resolution, study.....	HB 556
voice over Internet protocol services, state regulation clarified.....	HB 542am

**Interstate compacts**

flood mitigation, recovery of moneys owed to NH by Massachusetts.....	HB 581
International Registration Plan, technical corrections .....	SB 21
northeastern American/Canadian emergency management assistance compact, repealed .....	HB 493
payments under Connecticut and Merrimack River flood control compacts, transfer.....	HB 2am
wildlife violators compact adopted.....	SB 133

<b>Investigators</b> , private, regulation and licensing by safety commissioner .....	HB 353
---	--------

<b>Investments</b> , towns and cities, management of capital reserve and trust funds, amended.....	HB 297
--	--------

<b>Itinerant vendors</b> , local vendor ordinance violation, penalty reduced.....	HB 103
---	--------

**J****Joint board of licensure**

accountants, fees, receipts and disbursements, procedures clarified .....	HB 2am
electricians board transfer date changed.....	SB 28am
engineers, receipts and disbursements, procedures clarified .....	HB 2am
fees, receipts and disbursements, procedures clarified .....	HB 2am
geologists, receipts and disbursements, procedures clarified .....	HB 2am
land surveyors, receipts and disbursements, procedures clarified .....	HB 2am
mechanical licensing board established.....	HB 2
real estate appraisers, receipts and disbursements, procedures clarified.....	HB 2am

<b>Jones, Hon. Laura</b> , unanimous consent, memorial remarks for Hon. Al Bemis .....	1075-1076
--	-----------

**Journal**

corrections, use of tapes .....	HR 2
daily, policy for distribution .....	HR 3

**Judges**

circuit court, assignment of liaison judges .....	HB 296
numbers for biennium not to exceed 20 for superior courts and 31 for circuit courts.....	HB 2am
retired, over age of 70, permitted to serve.....	HB 281
retirement plan	
supplemental allowances provision repealed .....	HB 173
technical corrections.....	SB 33
vested deferred allowance option added .....	HB 419

<b>Judgments</b> , overpayments, employers to make joint restitution.....	HB 360
---	--------

**Judicial branch**

appropriation reductions .....	HB 1
budget reductions, allocation, reporting requirements.....	HB 2
capital improvements appropriation .....	HB 25
facility improvement escrow fund, technical corrections.....	SB 68am
family court division	
rules of evidence adopted.....	HB 605
study .....	HB 571
information technology fund, revenue from increased percentage of court filing fees.....	HB 652
judges and employees, salaries increased.....	HB 2am
transfer of funds within appropriations, exempt from certain requirements .....	HB 2am

<b>Judicial council</b> , payment of counsel for indigent parents in termination of parental rights cases.....	HB 327
--	--------

<b>Junk dealers</b> , community-based commodities reporting system, study .....	SB 104
---	--------

**Jurors**

master jury list, certain provisions modified; exempt from right to know law .....	SB 35am
voter registration database information for preparation of jury lists, clarified.....	HB 294

**Justice department**

cold case homicide unit, fund, forfeiture of drug-related items allocated.....	HB 661
crime victims, rights of immediate family amended.....	SB 136
expenditure of funds to support Child Advocacy Center.....	HB 2
funds transferred for Connecticut and Merrimack River flood control compacts.....	HB 2am
legal costs, reimbursement from liquor commission.....	HB 2am
pharmaceutical drug take-back program, rules.....	SB 44
salaries increased for certain positions.....	HB 2am

**Juvenile delinquents**

age raised from 17 to 18.....	HB 525
petitions filed by school districts, other educational approaches have tried and failed.....	HB 433
shelter care facilities, court ordered placements.....	SB 129
Sununu Youth Services Center	
appropriation reductions, plan to fiscal committee.....	HB 1
report to fiscal committee on potential uses.....	HB 2am
usage report to legislature.....	HB 260am

**K**

<b>Kelly, Patricia</b> , spouse of officer killed, reimbursement for erroneous medical benefits.....	HB 2am
<b>Kennedy, Hon. James</b> , unanimous consent, memorial remarks by Rep. Eileen Flockhart.....	129
<b>Kennedy, President John F.</b> , unanimous consent, memorial remarks by Rep. Robert Perry.....	1077-1078
<b>Kennedy, Hon. Robert F.</b> , unanimous consent, memorial remarks by Rep. Katherine Rogers.....	920
<b>Keno</b>	
games allowed; licensing operators by lottery commission; revenues to education trust fund.....	HB 485
games, implementation, study.....	HB 520
<b>Kerosene</b>	
home heating, guaranteed price plans and prepaid contracts, methods amended.....	HB 566
home heating, guaranteed price plans and prepaid contracts, reporting for dealers required.....	SB 114
<b>Kindergarten</b>	
construction program, bonds authorized.....	HB 25am
school district budget separate.....	HB 324
second language taught, study.....	HB 303
<b>Kingsbury, Hon. Robert</b> , unanimous consent, memorial remarks by Rep. Jeanine Notter.....	1018-1019
<b>Knightly, Dorothy</b> , petition filed on behalf of.....	72

**L****Labor**

collective bargaining	
public employees, dollar amount not modified by legislative body of public employer.....	HB 187am
state employees, general court fiscal committee approval.....	HB 414am
.....	SB 153
contractors, state projects and state land timber sales, workers' compensation procedures.....	HB 203
credit history, used in employment decisions by employer prohibited.....	HB 357
department	
commissioner, civil penalty for failure of payment assessed.....	HB 171
commissioner, hourly rate to reflect cost of living, general court majority vote required.....	HB 127
commissioner, pharmacy closed formulary and appeals process for drugs not included.....	SB 147
commissioner, workers' compensation payment, statistical information maintained.....	HB 172
employers required to use status verification system to verify work eligibility.....	HB 249
employers to notify working members of retirement system of limits on hours.....	HB 364am
employment security commissioner to send notices and determinations by first class mail.....	HB 359
employment security, department, deputy commissioner position established.....	HB 2
hiring discrimination based upon unemployment status, prohibited.....	HB 350
insurance	
accident and health, purchasing alliances, qualified, number of enrollees changed.....	HB 467
family leave insurance program, study.....	HB 551
public employees	
abusive work environment prohibited.....	HB 591
collective bargaining, binding arbitration, online training, report to legislature.....	HB 178

**Labor (cont.)**

retirement system, part-time employment, definition amended .....	SB 132
right to work, union membership requirement prohibited.....	HB 323
social media passwords, employers prohibited from requiring disclosure .....	HB 379
.....	HB 414
state employees, collective bargaining, pay differential for direct care employees .....	HB 477
state employment, preference in hiring for veterans, policy, study.....	SB 90
state health insurance, public employers may participate .....	HB 445
unemployment compensation	
fraud, employers and recipients, restitution and penalties .....	HB 246am
hearings, employers to provide proof of misconduct.....	HB 200
wages	
minimum, hourly rate established; labor commissioner calculates to reflect cost of living .....	HB 127
payroll, electronic fund transfer, option of check requirement deleted .....	HB 357am
payroll, electronic fund transfer, option of check requirement deleted .....	SB 100am
state minimum hourly rate established.....	HB 241
.....	HB 501am
work and family issues, taskforce, composition and duties changed .....	HB 551
workers' compensation	
civil penalty for failure of payment assessed by labor commissioner .....	HB 171
payment, statistical information maintained by labor commissioner.....	HB 172
right of discovery to carrier's investigation of claims established.....	HB 373
worksharing reporting requirements changed to conform to Federal Unemployment Tax Act .....	HB 361

**Lakes region facility**

certain procedural exemptions relating to sale of Laconia state school property repealed.....	SB 19am
sale costs, appropriation to administrative services continued.....	HB 2

**Land and community heritage investment program, register of deeds surcharge .....** HB 2**Land use**

change tax, nonpayment within 120 days of due date, land assessed under current use .....	HB 669
governmental, municipality may deny proposal based on nonconformity with regulations .....	HB 191
ordinances, innovative control, cottage housing development authorized .....	HB 347
planning, archaeological deposits, protection or preservation.....	SB 12am
subdivisions, abutter, easement required .....	HB 114

**Landfills, closure projects, state aid, funds appropriated.....** HB 623**Landlord and tenant**

assisted living facilities for developmentally disabled, excluded from definition of tenant .....	SB 60
bed bug infestation in rental housing, responsibility addressed .....	HB 482
default judgment, tenant filing motion to vacate required to pay rent pending court decision.....	HB 409
demand for rent and other damages; landlord-agent requirement repealed.....	HB 106
evictions	
commercial rentals, service of process by certified mail to registered agent .....	HB 211
manufactured housing, parks, procedures amended.....	HB 210
notice time decreased; certain tenant financial obligations required .....	HB 188
personal property abandoned by tenant, relinquished possession or abandoned the premises.....	HB 413am
rooming or boarding houses, tenancy, exemption, clarification.....	HB 472

**Law, practice of, attorneys, not licensed by supreme court .....** HB 590**Law enforcement**

internet crimes against children fund; courts, additional \$10 fee for every conviction .....	HB 653
officers	
arrest without warrant, peace officer's authority limited .....	HB 512
authorized to disclose owner of vehicle parked on hospital property.....	HB 105
citizens complaints, procedure .....	HB 381
criminal complaint, false statement made, prosecuted for false swearing .....	HB 407
disposal of drugs, procedure amended .....	SB 44
domestic violence, arrest procedures changed .....	HB 502
domestic violence, intervention, criminal complaint filing required .....	HB 503
duties, vehicle inspection, reference to highway enforcement officers deleted.....	SB 22
interference with custody, failure to enforce, penalty.....	HB 673
killed in line of duty, reimbursement for erroneously charged benefits to spouse .....	HB 2am
negligence claims, limitation of liability extended .....	HB 123

**Law enforcement (cont.)**

## officers (cont.)

- police commission in Hooksett dissolved ..... HB 506am
- special details, use and efficacy, study..... SB 132

**Lebanon**, bus service between Claremont..... HB 650am

**Legislative branch**

- appropriation reductions ..... HB 1
- capital improvements appropriation ..... HB 25am
- employees and officials, gifts, value increased; certain items excluded ..... HB 170
- unexpected and unencumbered appropriations from special legislative subaccounts; amended..... HB 2am

**Legislative budget assistant**

- financial audits, costs clarified ..... HB 2am
- performance audit for controlled drug prescription health and safety program, date changed..... SB 83
- right to know law, state agency communications clarified; final contracts awarded subject to ..... HB 685

**Legislative employees**, ethics, legislators and employees separate from executive branch ..... HB 548

**Legislative ethics committee**

- chair and vice-chair selected from members, required..... HB 415
- rules, procedures, and laws governing ethics, study..... HB 410am

**Levesque, Hon. Melanie**, unanimous consent, memorial remarks for Hon. Henry Richardson ..... 169-170

**Liability**

- hunting, recreational activity, landowners duty of care to individuals in construction..... SB 108am
- limited
  - damages from snow or ice, best management practices for winter maintenance ..... HB 2am
  - extended for negligence claims regarding public safety officers..... HB 123am
  - landowners and road salt applicators, certification option..... HB 523
  - sports injuries, definitions for “student athlete” and “student sports” amended..... HB 180

**Libraries**

- governance, board of trustees or selectmen, town to choose ..... HB 436
- public, trustees, governing investments through prudent investor rule allowed ..... HB 297am

**Licenses**

- acupuncturists, licensure and renewal of fees ..... HB 654
- alcohol and drug abuse counselors, licensure and renewal of fees ..... HB 654
- boxing and wrestling commission, licensure and renewal of fees ..... HB 654
- businesses, streamlining inspections and licensing, study..... HB 386
- child care, supervised visitation centers, license required..... HB 478
- child day care, fines into nonlapsing fund for licensure law compliance technical assistance ..... HB 2
- dental therapists, licensure authorized..... SB 193
- dietitians, licensure and renewal of fees..... HB 654
- electricians, joint board, transfer date changed ..... SB 28am
- electrologists, licensure and renewal of fees ..... HB 654
- elevator mechanics, requirements amended..... HB 385
- fuel gas fitters, regulated by mechanical licensing board..... SB 189
- funeral directors and embalmers, licensure and renewal of fees..... HB 654
- genetic counselors, governing board established..... SB 135am
- health care providers, no new license if change of office location within licensure period ..... HB 2
- hearing care providers, licensure and renewal of fees..... HB 654
- home health care facilities, licensure and renewal of fees ..... HB 654
- homestead food, operations exempt from licensure to label ..... HB 177
- keno game operators ..... HB 485
- liquor, sales on-premises until 2:00 am if authorized by local ordinance..... HB 575am
- marijuana wholesale and retail sale, cultivation and testing facilities, authorized..... HB 492
- marriage, fee increased; additional amount funds domestic violence program..... HB 2am
- massage therapists, licensure and renewal of fees..... HB 654
- medical technician registration board..... HB 658
- midwives, licensure and renewal of fees ..... HB 654
- mortgage bankers, and brokers, credit laws amended ..... HB 594
- naturopaths, licensure and renewal of fees ..... HB 654
- new or increased rate, 3/5 vote required..... CACR 1
- nursing home administrators, licensure and renewal of fees ..... HB 654

**Licenses (cont.)**

optometrists, licensure and renewal of fees .....	HB 654
pistols and revolvers	
carry, requirement repealed .....	HB 451
nonresident fee reduced .....	HB 382
unlicensed persons prohibited from openly carrying in a public building .....	HB 290
plumbers, board repealed .....	HB 2
podiatrists, licensure and renewal of fees .....	HB 654
polysomnographers, licensing by respiratory care practitioners board .....	HB 326
private investigators, regulation and licensing by the safety commissioner .....	HB 353
propane installation and servicing combined .....	SB 116
reflexologists, licensure and renewal of fees .....	HB 654
real estate appraisers board, criminal background check; licensure by reciprocity .....	SB 42
required federal criminal records check to obtain local vendor license removed .....	HB 104
shop, barbers, cosmetologists, manicurists, and estheticians, experience requirement removed .....	HB 376
temporary, issued by PUC for construction across state owned land or water .....	SB 175am

**Limitation of actions**

criminal, wrongful incarceration compensation increased .....	HB 247
guardian ad litem, immunity provided, conditions .....	HB 387

**Limited liability companies**

annual reports filed once every 3 years .....	HB 530
low-profit, study .....	HB 346

**Limited partnerships, use of "L.P." in name allowed .....** SB 52**Liquor commission**

advertising alcoholic beverages, NH products, expenditure requirements established .....	HB 333
annual report on NH domestic liquor and wine industry required .....	HB 175
capital improvements appropriation .....	HB 25
Civil War commemorative bottle, fund preservation of Civil War battle flags at state house .....	SB 155am
containers and packaging, delivery of samples not required, criteria; exception .....	HB 639am
contracts, \$10,000, reviewed by attorney general, approved by governor and council .....	HB 686am
discounts eliminated .....	HB 315
funds transfer, exemption from certain statutory requirements eliminated .....	HB 394
legal costs, reimburse justice department .....	HB 2am
members replaced with single commissioner .....	HB 599
and deputy commissioner .....	HB 2
positions abolished .....	HB 254
rulemaking authority revised .....	HB 225
sales	
NH microbrewery and nano brewery beers in stores, pilot program .....	HB 275
payment to alcohol abuse prevention and treatment fund suspended .....	HB 2
state stores, electronic benefits transfer (EBT) cards, use prohibited .....	HB 2am
tobacco product sales, licensing authority transferred to revenue administration .....	HB 637

**Livestock, cruelty, reporting and submitting recordings to law enforcement required .....** HB 110**Living wills, durable power of attorney, life-sustaining treatment .....** SB 170**Lobbyists**

contribution reports published on Internet by secretary of state .....	HB 406
donations to candidates and political committees, itemized list .....	HB 380
public officials prohibited from acting as lobbyists for one year after leaving office .....	HB 268
state funds to hire, prohibited .....	HB 395

**Lobsters, taking by recreational scuba divers, special license .....** HB 259**Local Government Center, hearings officer's report, study .....** HB 283**Long-term care**

facilities, cost of care recovery .....	SB 138
Medicaid-eligible may choose community-based services as alternative; criteria .....	HB 461

**Lottery commission**

employee recognition incentive program; reporting requirements .....	HB 2
fiscal committee approval of new programs and consultants; transfer of funds .....	HB 1
gambling, video lottery and table gaming, two locations; proceeds to highway fund .....	HB 665

**Lottery commission (cont.)**

gambling, video lottery and table gaming, one location, proceeds to various programs .....	SB 152am
gaming regulatory oversight authority, casino gaming plan; repeal repealed .....	HB 2am
licenses, keno game operators .....	HB 485
salaries increased .....	HB 2am
<b>Lucky 7, games of chance, statutes governing</b> .....	SB 75

**M****Malpractice**

early offers system repealed .....	HB 582
joint underwriting association act .....	HB 489
screening panels, evidence limited to offers of proof, no live witness testimony .....	HB 583

<b>Managed care, prescriptions, purchase up to 90-day supply at pharmacy of choice</b> .....	HB 584
--	--------

<b>Manchester, route 101 named for 101st Airborne Division Screaming Eagles</b> .....	SB 15am
---	---------

<b>Manicurists, shop license, one year experience requirement removed</b> .....	HB 376
---	--------

**Manufactured housing**

associations to access dog registration records .....	HB 108
eviction procedures amended .....	HB 210

**Marijuana**

possession and use, penalties removed .....	HB 337
possession of small amount, penalty amended .....	HB 621am
purchase and use allowed and regulated; taxed .....	HB 492
therapeutic use, prohibitions and limitations, administration; affirmative defense .....	HB 573am

**Marital masters**

Coos superior court, appointment .....	HB 670
remain in office until retirement, resignation, disability, or nonrenewal of appointment .....	HB 648

**Marriage**

cohabitation, as basis for legal marriage, statute repealed .....	HB 371
license fee increased; additional amount funds domestic violence program .....	HB 2am

<b>Massachusetts, flood mitigation, interstate compacts, recovery of moneys owed to NH</b> .....	HB 581
--	--------

<b>Massage therapists, licensure and renewal of fees</b> .....	HB 654
--	--------

**Mathematics**

4 years required for high school graduation .....	HB 533
STEM scholars program, University of NH system, established .....	HB 643

<b>McAuliffe-Shepard Discovery Center, commission business plan, submission provision</b> .....	HB 2am
---	--------

**Meals and rooms tax**

distribution to cities and towns, funding levels .....	HB 2
revenue credited to DRED travel and tourism development, calculation modified .....	HB 2
revenue data in each municipality, collection and public availability required .....	HB 662

<b>Mechanical licensing board, certification of heating personnel and water treatment technicians</b> .....	SB 189
---	--------

<b>Mediators, compensation when parties are indigent, payments from appropriated fund</b> .....	HB 2
---	------

**Medicaid**

breast and cervical cancer program suspended .....	HB 2
enhancement tax	
commission established, study .....	HB 2
special hospitals for rehabilitation exempt .....	HB 2am
uncompensated care fund, allocation and use modified .....	HB 2
expansion by health and human services commissioner prohibited .....	HB 271
expansion, eligibility, commission established .....	HB 2am
family planning expansion implemented .....	SB 194
health and human services to report reimbursement rates, requirement repealed .....	SB 24
innovation in Medicaid delivery (I-MD) commission; prepare waiver application .....	HB 2am
long-term care facilities, cost of care recovery .....	SB 138
long-term care services for elderly, analyze costs and future funding, commission .....	HB 2am
long-term care services, community-based services as alternative; criteria .....	HB 461
management information system (MMIS) implementation project, requirements revised .....	HB 2



**Medicaid (cont.)**

reimbursements, law repealed.....	HB 2
state plan amendment	
seek federal approval for assistance to newly eligible populations .....	HB 2
suspend catastrophic aid payments to hospitals .....	HB 2
suspend direct and indirect graduate medical education payments to hospitals .....	HB 2
uncompensated care program, methodology, report requirement repealed .....	HB 2

<b>Medical assistance</b> , program, independent review process restored .....	HB 462
--	--------

<b>Medical care</b> , palliative care, quality of life initiatives, study .....	SB 17
---	-------

<b>Medical malpractice joint underwriting association act</b> , established.....	HB 489
--	--------

<b>Medical records</b> , state employees, health risk appraisal considered protected information .....	HB 2am
--	--------

<b>Medical technician registration board</b> , established.....	HB 658
---	--------

<b>Memorial Bridge</b> , appropriate signage, funding.....	HB 25am
--	---------

**Mental health**

10-year plan, quarterly reports to health and human services commissioner.....	HB 375
beds, increasing, funding mechanisms, study.....	HB 499
community services, low service utilization, benefits per person limited.....	HB 2
examination in public schools, parental consent required.....	HB 384
NH hospital, involuntary admissions, discharge timing clarified.....	HB 475
services, waitlist, prospective repeal extended.....	HB 636
state prisons, solitary confinement, conditions for use created; defined; study .....	HB 480

**Merrimack**

certain ramp tolls on Central NH turnpike eliminated .....	SB 3am
ramp toll on Central NH turnpike eliminated.....	HB 257
.....	SB 19

<b>Merrimack county</b> , districts reapportioned.....	HB 448
--	--------

<b>Metal</b> , scrap, dealers, community-based commodities reporting system, study .....	SB 104
--	--------

<b>Midwives</b> , licensure and renewal of fees .....	HB 654
---	--------

**Minimum wage**

state, hourly rate established.....	HB 241
.....	HB 501am
state, hourly rate established; calculation to reflect cost of living.....	HB 127

**Minors**

driver's license, restrictions increased.....	HB 302
sports, concussions, definitions for "student athlete" and "student sports" amended.....	HB 180

**Monuments and memorials**

Franconia Notch state park, war memorial, standards of care established.....	HB 233
Franklin Pierce Day, governor's proclamation, Nov 23rd.....	HB 576
John Gilbert Winant, permanent memorial, study .....	HB 262

**Mortgages**

bankers, and brokers, credit laws amended.....	HB 594
foreclosures, notice of sale, content amended .....	HB 301

<b>Motion pictures</b> , business profits tax, credit for production expenditures established .....	HB 540
---	--------

<b>Motor carriers</b> , agricultural and farm vehicles, federal motor carrier regulations, exempt.....	SB 159
--	--------

**Motor vehicle road toll**

administration, licensing, provisions clarified .....	SB 84
increased	
contingent on fuel sales decline .....	HB 437
for gasoline and diesel fuel .....	HB 2am
rate increased over 3-year period.....	HB 617
revenue alternatives for funding highways and bridges, study.....	HB 2am
.....	HB 617am
temporary surcharge; funds 10-year transportation improvement plan.....	HB 667
unrefunded tolls, revenue credited to highway and bridge betterment account .....	HB 617am
unrefunded tolls from increase in road toll to highway and bridge betterment account.....	HB 2am

**Motor vehicles**

agricultural and farm vehicles, drivers, federal motor carrier regulations, exempt.....	SB 159
autonomous, use in NH, study.....	HB 444
bureau of hearings, held on behalf of safety commissioner and divisions.....	SB 13
buses, service between Claremont and Lebanon .....	HB 650am
carrying property for hire, law repealed.....	SB 84
certificate of title, time requirement limited.....	HB 495
commercial, weight, additional allowed for vehicles using idle reduction technology.....	HB 196
commercial drivers, various laws modified.....	SB 85
driver's license	
commercial, medical examination reports, exemptions .....	HB 587
medically unfit, person reporting immune from liability.....	HB 263am
renewal for armed forces members, federal employees, and spouses, clarified .....	SB 159am
driver's licensing and registration office in Belknap county.....	HB 500
driver's license, youth, restrictions increased.....	HB 302
DWI	
alcohol ignition interlock program, modifications .....	SB 20
alcohol concentration tests on persons by phlebotomists authorized.....	SB 81am
certain first time offenders, limited driving privileges authorized.....	HB 496
driver's license, time in correctional facility not toward period of license revocation.....	HB 348
elderly drivers, examination, study.....	HB 263
glass, prohibition on tinted glass repealed.....	HB 345
inspections	
small trailers exempt, state police duties, reference to highway officers deleted.....	SB 22
trailers, qualified dealers inspection.....	SB 22am
International Registration Plan, technical corrections .....	SB 21
learner permits, commercial, valid driver's license required .....	HB 195
lease-purchase agreements by transportation commissioner authorized .....	HB 2am
low-speed utility vehicles, public highways access for food, fuel, and lodging, study .....	SB 67
manufacturers, distributors, and dealers, business practices revised.....	SB 126
number plates	
license plate scanning devices, regulated and authorized .....	HB 675
manufacturing fee assessed for use of GraniteCor.....	HB 646
multi-use, authorized; eligibility; fees.....	HB 145
officers authorized to check and disclose owner of vehicle to hospital personnel .....	HB 105
special, members or retired members of national guard .....	HB 137am
special, Purple Heart recipients, surviving spouse to retain plate.....	SB 47
special, receive veteran plates without charge in lieu of disabled veteran plates .....	HB 163
publicly owned, identifying marking required .....	HB 567
records, use for any federal identification database, safety department prohibited.....	HB 174am
registration	
fee increased for certain class of vehicles.....	HB 617
funds from fees; reclamation trust funds; recycling and reclamation of solid waste.....	HB 112
homeless person without permanent street address allowed to register vehicle .....	HB 193
permit fees paid with insufficient fund checks, registration privilege suspended .....	HB 194
plan, international, administration transferred to motor vehicles division.....	SB 84am
school buses, mixed use, definition modified.....	HB 282
seat belts, child passenger restraints amended.....	HB 242
speed limit on portion of I-93 increased to 70 miles per hour .....	HB 146
speed limits on certain highways increased to 70 miles per hour .....	HB 289
speed limits on certain highways increased to 75 miles per hour .....	HB 291
speeding fines changed; license suspension for certain speeding violations authorized.....	HB 666
street rod, body and frame age requirement modified.....	HB 192
violations	
credited as agency income and shall not lapse until second year of biennium.....	HB 2am
pleas by mail, fines credited to general fund .....	HB 2am
<b>Mountain Lake Pond</b> , renamed from Blood Pond in Lancaster .....	HB 157
<b>Moynihan, Ann Marie</b> , petition filed on behalf of .....	72
<b>Municipal bond bank</b> , reserve process clarified.....	HB 367
<b>Municipal budget law</b>	
contingency funds, establishment by towns allowed.....	HB 134
separate warrant articles submitted by sewer and water commission .....	SB 197am

**Murder**

- cold case homicide unit, fund, forfeiture of drug-related items allocated..... HB 661
- person convicted forbidden to hold any office in NH government..... CACR 5

**N**

**Natural gas**, fuel gas fitters, regulated by mechanical licensing board.....SB 189

**National guard**

- facilities, adjutant general, construction or improvement contracts ..... HB 524
- recruitment and retention scholarship fund, expended for biennium by adjutant general..... HB 2am
- scholarship
  - appropriation..... HB 615
  - fund, amended ..... HB 524
- special number plates for members or retired members..... HB 137am
- state active duty, death benefit, benefits not extended to non-active duty personnel ..... HB 524
- state employees, benefits increased for serving in armed forces..... HB 319

**Naturopathic health care**, licensure and renewal of fees..... HB 654

**Navigation safety fund**, nonlapsing..... HB 2am

**New Hampshire**

- disaster relief fund, established .....SB 157
- Local Government Center, hearings officer's report, study ..... HB 283
- medal of honor eligibility requirements revised..... HB 220
- debate printed .....141-142
- municipal bond bank reserve process clarified..... HB 367
- state-based health exchange, prohibition repealed..... HB 544
- vaccine association, law amended ..... HB 664

**New Hampshire Anti-Bullying Day**, proclaimed by governor, 2nd Wednesday in November ..... HB 553

**New Hampshire Liberty Act**, established..... HB 399

**New Hampshire Scholars Program**, students attending University of NH system, established ..... HB 642

**Nitrogen**, fertilizers, limit on retail sale and use..... HB 393

**Noise**

- highways, mitigation of damages, study..... HB 391am
- highways, prohibited from commencing projects unless level below 65 decibels..... HB 391

**Nonprofit corporations**, presiding officer of board of directors, biennial management training.....SB 186

**North Country**, establishment of fire training facility, appropriation extended ..... HB 2am

**North Country economic development**, video lottery and table gaming proceeds ..... SB 152am

**Northeastern American/Canadian emergency management assistance compact**, repealed ..... HB 493

**Northwood Lake dam**, property acquisition in Epsom by environmental services ..... HB 111am

**Notter, Hon. Jeanine**, unanimous consent, memorial remarks for Hon. Robert Kingsbury ..... 1018-1019

**Nuclear power**, atomic energy policy repealed ..... HB 465

**Nurses**, assault against, extended term of imprisonment ..... HB 217

**Nursing homes**

- administrators, licensure and renewal of fees..... HB 654
- cost of care recovery..... SB 138
- county, eligibility, limits on payments for fiscal years 2014-2015; prospective repeal repealed ..... HB 2
- health care workers, mandatory drug testing..... HB 597
- long-term care, Medicaid-eligible may choose community-based services as alternative; criteria..... HB 461
- new and rehabilitation beds, moratorium extended..... HB 2

**Nutrition**

- dietitians, licensure and renewal of fees..... HB 654

**O****Occupational licensing and regulation boards**

- disciplinary proceedings, jurisdiction lost when statutory time limits are not met ..... HB 469
- licensure and renewal fees..... HB 654
- military experience used to satisfy requirements for regulated professions; rulemaking..... HB 234

**Off highway recreational vehicles**

- all-terrain, statutory authority, public highways access for food, fuel, and lodging, study .....SB 67
- Jericho Mountain, operation of 4-wheel drive vehicles on trails allowed..... HB 349
- operators on public highways where permitted, licensed or accompanied by licensed to drive ..... HB 383
- registration fees, designation corrected; training program penalty for violations ..... HB 304
- size and weight limitations increased on trails in Coos and Grafton county ..... HB 574am

**Official oppression, official acting without purpose to benefit himself or another; penalty..... HB 504****Oil**

- above ground storage tanks, certification, repeat examination prohibited ..... HB 628
- home heating
  - delivery invoice to include pricing information ..... HB 149
  - guaranteed price plans and prepaid contracts, methods of securing deposits amended..... HB 566
  - guaranteed price plans and prepaid contracts, reporting for dealers required.....SB 114
- licenses, propane installation and servicing combined.....SB 116
- motor oil discharge cleanup fund
  - coverage limitation based on facility storage; waiver of interest for good cause ..... HB 184am
  - fee increased..... HB 185

**Operating budget**

- 2014-2015 ..... HB 1
- 2014-2015, trailer bill ..... HB 2
- fiscal year ending June 30, 2013, surplus to remain in general fund ..... HB 2am
- state agencies required to submit efficiency expenditure requests ..... HB 657

**Optometrists**

- insured, choice of eye care professional allowed without discrimination ..... HB 585
- licensure and renewal of fees ..... HB 654
- myopia, parental warning about progression when prescribing distance lenses for children..... HB 378

**Orange, red, and yellow, official state colors..... HB 420****P****Palliative care, quality of life initiatives, study .....SB 17****Paramedics, negligence claims, limitation of liability extended ..... HB 123****Parental rights****and responsibilities**

- college contributions agreement, court approval and enforcement ..... HB 554
- counsel paid for indigent parents in termination of parental rights cases..... HB 327
- determination based on best interest of child, standard revised..... HB 578
- support for disabled children beyond age 18, court to initiate or continue ..... HB 528
- control of health, education, and welfare of children a natural right ..... CACR 3
- termination cases, appointment of CASA guardian ad litem, compensation when indigent..... HB 2am

**Parks****state**

- and historical sites, free for persons over 65, discount coupon fee books eliminated..... SB 190am
- Franconia Notch, war memorial, standards of care..... HB 233
- fund, revenue from Cannon Mountain deposited..... HB 2am
- Hampton Beach, commissioner authorized to enter contracts for free wifi..... HB 273
- Jericho Mountain, OHRV operation of 4-wheel drive vehicles on trails allowed ..... HB 349
- memorial of Isle of Shoals, construction at Ragged Neck in Rye Harbor, commission..... HB 25am
- OHRVs, size and weight limitations increased on trails in Coos and Grafton county ..... HB 574am

**Parole****prisoners**

- earned time credits for educational and rehabilitative programming..... HB 649
- health care, costs, reimbursement procedures amended..... HB 432
- solitary confinement, conditions for use created; study ..... HB 480
- procedures amended; probation violation sanctions, authority amended ..... HB 644am
- sentences, notice and information to victim provided by corrections ..... HB 167

**Parti-mutuel commission, simulcast, prohibited when injury records not available..... HB 564****Partin, Franklin A., right to work act..... HB 323**

**Patient Protection and Affordable Care Act of 2009**

cities and towns, transfer insurance, study .....	HB 355
federal health care reform, state-based health exchange, prohibition repealed .....	HB 544
federal reinsurance program for individual market, approval required .....	HB 526
insurance, state transfer, study .....	HB 356
Medicaid expansion by health and human services commissioner prohibited .....	HB 271

<b>Patients</b> , bill of rights, home care providers; parameters for discharge or transfer .....	SB 87
---	-------

<b>Pawnbrokers</b> , regulations, revised .....	HB 343
---	--------

**Pease development authority**

capital improvements appropriation; lapse dates extended .....	HB 25
capital projects, funding, source of payments of bonds changed .....	SB 39

<b>Pensions</b> , other post-employment benefits (OPEB) trusts, state treasurer may establish .....	HB 2am
---	--------

<b>Perjury</b> , in official matters, failure in attorney general's office to prosecute, penalties .....	HB 616
--	--------

<b>Perry, Hon. Robert</b> , unanimous consent, memorial remarks for President John F. Kennedy .....	1077-1078
---	-----------

<b>Personal wireless service facilities</b> , existing structures; review of applications .....	SB 101
---	--------

<b>Petroleum</b> , storage facilities, underground tanks certification, repeat examination prohibited .....	HB 628
---	--------

**Pharmacies**

benefits managers, regulation, study .....	SB 117am
drug benefits for workers' compensation, pharmacy fee reimbursement formulas .....	SB 95
drugs, prescription, generic equivalent required; exceptions .....	SB 147am
generic equivalent, substitution required if paid by state funds; exception .....	SB 140am
prescriptions, compounding by pharmacists regulated .....	HB 313
prescriptions, use and misuse in workers' compensation cases, study .....	SB 71
records, audits, rights and procedures established .....	SB 38

**Pharmacy board**

inspectional services to certain boards provided without fee .....	HB 2am
intens required to register .....	HB 334

<b>Phlebotomists</b> , motor vehicle accidents, alcohol concentration tests on persons authorized .....	SB 81am
---	---------

<b>Phosphorus</b> , fertilizer, limit on sale and use .....	HB 393
---	--------

<b>Physician assistants</b> , assault against, extended term of imprisonment .....	HB 217
--	--------

**Physicians and surgeons**

abortion information act, informed consent requirement .....	HB 483
adverse reporting system, law clarified .....	HB 293
assault against, extended term of imprisonment .....	HB 217
dispense medication, equipment, and therapies not approved by Food and Drug Administration .....	HB 452
end of life decisions, study .....	HB 403am
malpractice	
early offers system repealed .....	HB 582
medical malpractice joint underwriting association act established .....	HB 489
screening panels, procedures amended; evidence limited to offers of proof .....	HB 583
therapeutic use of marijuana, protections .....	HB 573am

<b>Pierce, Franklin, Franklin Pierce Day</b> , governor's proclamation, Nov 23rd .....	HB 576
--	--------

**Pistols and revolvers**

discharge in compact part of town or city for events or national holidays authorized .....	HB 498
license to carry	
nonresident fee reduced .....	HB 382
requirement repealed .....	HB 451
possession, schools, employees, policies and procedures .....	HB 609
unlicensed persons prohibited from openly carrying in public building .....	HB 290

<b>Planning</b> , innovative land use control, cottage housing development authorized .....	HB 347
---	--------

**Planning boards**

master plans, coastal management provisions addressing storm surge, flooding .....	SB 164
master plans, water resources management and protection provisions included .....	HB 634
subdivisions, abutter, easement required .....	HB 114
subdivisions, or site plan, appeals to board of adjustment prior to appeals to superior court .....	SB 49

<b>Planning commissions</b> , regional, village districts may join .....	HB 365
<b>Plants</b> , exotic aquatic weeds and species committee; repealed.....	HB 527
<b>Plumbers</b> , licenses, board repealed.....	HB 2
<b>Plumbers board</b> , repealed, licensing by mechanical licensing board .....	SB 189
<b>Podiatrists</b>	
assault against, extended term of imprisonment.....	HB 217
licensure and renewal of fees .....	HB 654
<b>Police</b>	
commission in Hooksett dissolved .....	HB 506am
officers	
arrest without warrant, peace officer's authority limited .....	HB 512
children of, rulemaking authority for tuition waiver and scholarship programs.....	SB 134am
citizens complaints, procedure .....	HB 381
criminal complaint, false statement made, prosecuted for false swearing .....	HB 407
domestic violence, arrest procedures changed .....	HB 502
domestic violence, intervention, criminal complaint filing required .....	HB 503
interference with custody, failure to enforce, penalty .....	HB 673
special details, use and efficacy, study.....	SB 132
<b>Police standards and training council</b>	
funding, nonlapsing .....	HB 2am
training fund, appropriation reductions, report to fiscal committee .....	HB 1
<b>Polysomnographers</b> , licensing by respiratory care practitioners board .....	HB 326
<b>Pooled risk management programs</b> , potential changes to RSA 5-B, study .....	HB 283
<b>Portsmouth</b> , Memorial Bridge, appropriate signage, funding .....	HB 25am
<b>Postsecondary education commission</b>	
American University of Madaba, degree authority .....	SB 18
career schools, licensing and regulation moved to employment security department.....	SB 162
private postsecondary career schools, student tuition guaranty fund repealed.....	SB 162am
<b>Post-traumatic stress disorder</b> , armed forces, study extended .....	SB 90am
<b>Potato</b> , official state vegetable .....	HB 535
<b>Poultry</b> , regulations; sales to restaurants allowed .....	HB 608
<b>Pratt, Hon. Leighton</b> , unanimous consent, memorial remarks by Rep. Herbert Richardson .....	948-949
<b>Prisoners</b>	
county, medical services, rate agreements, negotiation by superintendent allowed.....	HB 131
earned time credits for educational and rehabilitative programming .....	HB 649
health care, county and state, costs, reimbursement procedures amended.....	HB 432
medical costs incurred in custody, responsibility .....	HB 132
parole, procedures amended; probation violation sanctions, authority amended.....	HB 644am
sentences, parole, certain notice and information to victim provided by corrections .....	HB 167
transferring custody to private facility prohibited except when governor declares emergency .....	HB 443am
wrongful incarceration compensation increased.....	HB 247
<b>Prisons</b>	
collective bargaining, pay differential for direct care employees, not applicable .....	HB 477
state, solitary confinement, conditions for use created; defined; study.....	HB 480
<b>Privacy</b>	
biometric data, collection by agencies, municipalities, and political subdivisions restricted .....	HB 312
electronic tracking devices, use without consent or court order prohibited; exceptions.....	HB 592
images of person's residence by device not supported by ground, prohibited.....	HB 619
personal materials, statutory expectation established .....	HB 311
Registers of deeds to remove social security and other numbers from Internet.....	HB 204am
<b>Probate courts</b>	
administration, various changes.....	SB 107am
guardianship of adults, proceedings submitted or recorded, confidential .....	SB 106
estates, assets, valued at less than \$10,000, disposition .....	HB 238
<b>Probation</b> , violation sanctions, authority amended.....	HB 644am
<b>Professional corporations</b> , professional service defined .....	SB 51

**Propane**

- fuel gas fitters, regulated by mechanical licensing board..... SB 189
- guaranteed price plans and prepaid contracts, methods amended..... HB 566
- home heating guaranteed price plans and prepaid contracts, reporting for dealers required ..... SB 114

**Property**

- appraisal and municipal services divisions consolidated; director of document processing..... HB 252am
- dams, acquisition by fish and game department..... HB 111am
- personal, abandoned by tenant, landlord may assert that tenant relinquished possession..... HB 413am
- private
  - archaeological investigations prohibited unless evidence of historic resources exist..... HB 377
  - highway maintenance, damages, ascertaining procedure established ..... HB 543
- real, property managers, certified ..... HB 463

**Property tax**

- assessing standards board, certain duties transferred from equalization standards board..... HB 181
- bills, due date extended, study..... HB 593
- deferral for elderly or disabled, paid to municipality granting deferral upon sale of property ..... HB 655
- historic structures, qualifying buildings, appraisal at market value percentage..... SB 43
- optional credit amount amended for service-connected total disability ..... HB 446
- part year veterans' credit granted by towns and cities ..... HB 176
- renewable generation facility, municipal incinerator facilities..... SB 179am
- residences in industrial or commercial zone, appraisal ..... HB 438

**Public assistance**

- Electronic benefits transfer (EBT) cards, use at liquor stores prohibited..... HB 2am
- Financial assistance for needy families (FANF), state supplemental programs (SSP), study..... HB 557
- Granite Strong Child and Family Task Force established..... HB 470
- payment for funeral expenses suspended..... HB 2am
- permanently and totally disabled and old age assistance, exclusivity of aid repealed..... SB 146
- state's authority to seek reimbursement from recipient's child or parents limited ..... HB 481
- Temporary assistance to needy families (TANF), drug testing required..... HB 121

**Public employees**

- abusive work environment prohibited ..... HB 591
- collective bargaining
  - binding arbitration required..... HB 178
  - dollar amount to not be modified by legislative body of public employer..... HB 187am
  - online training; votes, annual report to legislature..... HB 178
- cost-saving or revenue-producing suggestions, one-time award if implemented..... HB 325
- gifts, value increased; certain items provided to state legislators excluded..... HB 170
- part-time, definition changed; contributions for unfunded liability if hours exceeded..... HB 342
- part-time, employers to notify working members of retirement system of limits on hours..... HB 364am
- retired
  - compensation, town clerk and tax collector allowed membership in retirement system..... HB 342am
- retirement system
  - group II, disability, homeland security and emergency management director rejoin ..... HB 124am
  - person concurrently holding offices of town clerk and tax collector, membership allowed ..... HB 2am
  - town clerk and tax collector, retirement system membership allowed..... HB 594am

**Public health, outdoor fires, violations under certain circumstances ..... SB 31am****Public officials**

- general court, members, oath of office, study..... HB 363
- gifts, value increased; certain items provided to state legislators excluded..... HB 170
- oath of office, violation, removal by authority responsible for original appointment..... HB 277
- or employees, official oppression, acting without purpose to benefit himself or another..... HB 504
- prohibited from lobbying for one year after leaving office..... HB 268

**Public records**

- legislative budget assistant, final contracts awarded subject to right to know law ..... HB 685
- town meeting votes to be recorded..... HB 128

**Public safety, officers, negligence claims, limitation of liability extended ..... HB 123****Public utilities**

- commission
  - construction across state owned land or water, temporary license ..... SB 175am
  - revolving loan fund established for Tri-County Community Action Program ..... HB 2am
  - transmission lines not for public good placed underground; public need for electric lines..... HB 166

**Public utilities (cont.)**

- electric power
  - installation of smart meters without property owner's consent prohibited..... HB 454
  - regional greenhouse gas initiative, fund to low-income core energy efficiency program ..... HB 630am
  - transmission lines placed within state transportation rights-of-way ..... HB 569
  - transmission lines to be buried..... HB 568
- district energy system, hot water companies exempt ..... SB 74
- "municipally-owned utility" relocating underground necessitated by highway projects .....SB 188

**Public works**

- bureau, capital improvements appropriation, Davis-Bacon Act compliance..... HB 25
- design and construction bureau, project appeals to administrative services commissioner .....SB 54
- highway department inventory fund, changed to transportation department inventory fund..... SB 28

**R**

**Rabbits**, regulations; sales to restaurants allowed..... HB 608

**Racing**, greyhound, simulcast, pari-mutuel, prohibited when injury records not available ..... HB 564

**Racing and charitable gaming commission**, salaries increased ..... HB 2am

**Radio frequency ID**, electronic tracking devices, without consent prohibited; exceptions ..... HB 592

**Ragged Mountain Pacific, LLC**, outdoor advertising, commercially zoned area in Danbury.....SB 62

**Rafting of boats**, restrictions modified..... HB 545

**Rail transit authority**

- personal rapid transit systems, feasibility, study ..... HB 152
- scope expanded to include freight ..... HB 162

**Railroads**

- locomotives, diesel, idling prohibited; exceptions..... HB 508
- restoration of crossings, railroad responsible for costs..... HB 245

**Rainy day fund. See: Revenue stabilization reserve account**

**Real estate**

- appraisers board, criminal background check; licensure by reciprocity.....SB 42
- commission, brokers and salespersons, regulations amended ..... HB 421
- county commissioners may contract for services for sale or lease of property..... HB 235
- property tax exemptions, credits, or deferrals, publications of names prohibited; penalties ..... HB 298
- state-owned, purchase time period..... HB 550

**Real property**, property managers, certified, required ..... HB 463

**Reapportionment**, general court, independent redistricting commission established..... HB 579

**Records****criminal**

- annulled convictions sealed, removal by criminal records unit upon payment of fee ..... HB 450
- background check authorized for county employees ..... HB 204am
- checks for licensed child day care agencies for employees and volunteers.....SB 173
- history checks, banks, for persons seeking to form a financial institution, required ..... HB 559
- required federal background check to obtain local vendor license removed ..... HB 104
- sentences, annulment, statute amended ..... HB 618

medical, state employees, health risk appraisal considered protected information ..... HB 2am

motor vehicles, federal identification database, prohibited ..... HB 174am

pharmacies, audits, rights and procedures ..... SB 38

**public**

legislative budget assistant, right to know law, state agency communications clarified ..... HB 685

town meeting votes required to be recorded ..... HB 128

state records manager position established..... HB 2am

vital, fees increased; portion of fee deposited in vital records improvement fund ..... HB 2am

vital, fees increased; portion deposited in general fund, requirement removed.....SB 128

**Recycling****towns**

revolving funds used ..... HB 126

special use vehicle registration fees to pay for recycling and reclamation of solid waste ..... HB 112am



<b>Reflexologists</b> , licensure and renewal of fees .....	HB 654
<b>Regional greenhouse gas initiative</b>	
energy efficiency fund to low-income core energy efficiency program.....	HB 630am
modified .....	HB 306am
proceeds, municipal and local government energy efficiency projects.....	SB 123am
repealed .....	HB 630
<b>Regional planning commissions</b> , village districts may join .....	HB 365
<b>Register of deeds</b>	
documents recorded, surcharge for land and community heritage investment program.....	HB 2
remove social security and other numbers from Internet .....	HB 204am
<b>Residency requirements</b> , veterans, in-state tuition at University of NH waived.....	HB 624
<b>Residential care providers</b> , Chase Home for Children, payment pursuant to court order .....	HB 486
<b>Resources and economic development</b>	
2005 capital improvements appropriation purpose amended .....	HB 25am
advisory council, duties, mission revised; members.....	HB 505
authority to adopt rules on assessing administrative fines, prospective repeal repealed.....	SB 14am
Cannon Mountain	
revenue deposited into state park fund.....	HB 2am
revenue from operations deposited into capital improvement fund.....	HB 2am
capital improvements appropriation; lapse dates extended .....	HB 25am
contracts for free wifi internet access at Hampton Beach state park .....	HB 273
department, memorial of Isle of Shoals discovery, construction, appropriation.....	HB 441
economic development advisory council, technical correction .....	HB 261am
film and television commission transferred from cultural resources.....	HB 561
transfer of funds authorized.....	HB 2
travel and tourism division, meals and room tax revenue credit, calculation modified.....	HB 2
<b>Respiratory care</b> , practitioners board, licensing of polysomnographers.....	HB 326
<b>Rest areas, and welcome centers</b>	
currently closed, staffing study.....	HB 635
naming rights, sponsorship proposals solicited .....	HB 635am
<b>Restaurants</b> , companion dogs allowed in outdoor areas .....	HB 390
<b>Retirement system</b>	
classification, director of the division of forest and lands to qualify as a permanent firemen .....	HB 2
contribution rates, determination method amended.....	HB 620
employers to notify working members of retirement system of limits on hours .....	HB 364am
group II	
disability benefits, homeland security and emergency management director rejoin.....	HB 124am
UNH police officers, permanent, purchase allowed.....	HB 473
health care program	
cost containment options for new employees, study.....	HB 2am
cost containment plan and implementation by administrative services .....	HB 2
homeland security and emergency management rejoin group II.....	HB 683
legislation, fiscal analysis, cost not paid from assets or charged as administration expense.....	HB 341
other post-employment benefits (OPEB) trusts, state treasurer may establish.....	HB 2am
part-time employment, definition amended.....	SB 132
part-time retired members, definition; employer liable if exceeds hours for service.....	HB 342
person concurrently holding offices of town clerk and tax collector, membership allowed.....	HB 2am
state employees	
benefits increased for serving in armed forces.....	HB 319
cash balance retirement plan use, study .....	HB 455
town clerk and tax collector, membership allowed .....	HB 594am
vacation and sick leave, unused, converted and applied as additional creditable service.....	HB 627
<b>Revenue</b>	
estimates .....	HB 1
estimates for fiscal years 2013, 2014, and 2015 affirmed.....	HR 8
<b>Revenue administration</b>	
appraisal and municipal services divisions consolidated; director of document processing .....	HB 252am
appropriation reductions; quarterly reports.....	HB 1

**Revenue administration (cont.)**

assessing standards board	
members, town population requirement lowered .....	HB 182
municipal reimbursement of assessment costs, requirement repealed .....	HB 147am
capital improvements appropriation; lapse dates extended .....	HB 25
collection of education property tax transferred from towns, rebate to eligible taxpayers .....	HB 318
commissioner, tax credits increased under business profits tax .....	HB 2
county income tax, administered .....	HB 330
department	
meals and room tax, revenue data, collection and public availability required .....	HB 662
tobacco product sales, licensing authority transferred from liquor commission .....	HB 637
equalization standards board, repealed; certain duties to assessing standards board .....	HB 181
funds from justice department under Connecticut and Merrimack River flood control compacts .....	HB 2am
Mosaic Parcel GIS system, use and cost allocation, report to house finance committee .....	HB 2am
regulation of marijuana wholesale and retail, cultivation and testing facilities; taxation .....	HB 492
taxes, technical corrections .....	SB 30

<b>Revenue sharing, with cities and towns suspended .....</b>	<b>HB 2</b>
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**Revenue stabilization reserve account**

operating budget, fiscal year ending June 30, 2013, surplus remains in general fund .....	HB 2am
surplus funds used for programs in priority order for biennium .....	HB 2am
transfer of funds if general fund deficit at close of fiscal year 2013 .....	HB 2

<b>Rice, Hon. Frederick, unanimous consent, memorial remarks for Lt. Paul DeMeo .....</b>	<b>793-794</b>
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<b>Richardson, Hon. Henry, unanimous consent, memorial remarks by Rep. Melanie Levesque .....</b>	<b>169-170</b>
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<b>Richardson, Hon. Herbert, unanimous consent, memorial remarks for Hon. Leighton Pratt .....</b>	<b>948-949</b>
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**Ricker, Marilla Marks**

display of portrait by historical committee authorized .....	HJR 1
portrait acquired and displayed in state house .....	SB 119am

**Rifles and shotguns**

discharge in compact part of town or city for events or national holidays authorized .....	HB 498
possession, schools, employees, policies and procedures .....	HB 609

**Right to know law**

legislative budget assistant, final contracts awarded subject to law .....	HB 685
master jury list exempt .....	SB 35am

<b>Right to work, union membership requirement prohibited; freedom of choice .....</b>	<b>HB 323</b>
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<b>Risk management programs, pooled, potential changes to RSA 5-B, study .....</b>	<b>HB 283</b>
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<b>Rivers, instream flow pilot program, extend 2 years; study extended .....</b>	<b>HB 588am</b>
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**Road rules**

DWI	
alcohol ignition interlock program, modifications .....	SB 20
first time offenders, limited driving privileges authorized .....	HB 496
motor vehicles, glass, prohibition on tinted glass repealed .....	HB 345
seat belts, child passenger restraints amended .....	HB 242
speed limit on portion of I-93 increased to 70 miles per hour .....	HB 146
speed limits on certain highways increased to 70 miles per hour .....	HB 289
speed limits on certain highways increased to 75 miles per hour .....	HB 291
speeding fines; license suspension for certain speeding violations authorized .....	HB 666

<b>Rockingham county, citizen emergency response teams, pilot program .....</b>	<b>HB 279</b>
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<b>Roe v. Wade, 40th anniversary commemoration of supreme court's opinion .....</b>	<b>HR 6</b>
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<b>Rogers, Hon. Katherine, unanimous consent, memorial remarks for Hon. Robert F. Kennedy .....</b>	<b>920</b>
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**Roll Calls**

Motion to limit debate to 2 hours per side. Yeas, 86; Nays, 253 .....	851-853
Motion to refer petition to committee.	
Question, shall the ruling of the chair be upheld. Yeas, 276; Nays, 77 .....	77-80
Petition of Ralph Holder.	
Question, refer to committee. Yeas, 124; Nays, 231 .....	80-82
Petition of Timothy Sanborn.	
Question, refer to committee. Yeas, 90; Nays, 246 .....	94-97

**Roll Calls (cont.)**

Petition of Wade Henry.	
Question, refer to committee. Yeas, 93; Nays, 243 .....	97-99
Petition of Ian Freeman, et al of Keene.	
Question, refer to committee. Yeas, 106; Nays, 228 .....	133-135
HB 1, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015.	
Question, lay on the table. Yeas, 132; Nays, 225 .....	602-605
Question, majority committee report of ought to pass with amendment.	
Yeas, 194; Nays, 172 .....	605-607
Question, committee of conference report. Yeas, 337; Nays, 18 .....	945-947
HB 2, relative to state fees, funds, revenues, and expenditures.	
Question, floor amendment #1193h. Yeas, 171; Nays, 195 .....	610-612
Question, floor amendment #1196h. Yeas, 159; Nays, 206 .....	613-615
Question, floor amendment #1163h. Yeas, 166; Nays, 197 .....	616-619
Question, floor amendment #1177h. Yeas, 181; Nays, 186 .....	619-621
Question, floor amendment #1178h. Yeas, 185; Nays, 186 .....	622-625
Question, floor amendment #1194h. Yeas, 165; Nays, 202 .....	625-627
Question, floor amendment #1195h. Yeas, 168; Nays, 197 .....	628-631
Question, floor amendment #1186h. Yeas, 169; Nays, 201 .....	631-634
Question, floor amendment #1219h. Yeas, 174; Nays, 195 .....	634-636
Question, floor amendment #1190h. Yeas, 140; Nays, 225 .....	637-639
Question, floor amendment #1200h. Yeas, 151; Nays, 213 .....	639-642
Question, floor amendment #1201h. Yeas, 169; Nays, 196 .....	642-644
Question, floor amendment #1202h. Yeas, 159; Nays, 205 .....	645-647
Question, floor amendment #1203h. Yeas, 158; Nays, 205 .....	647-650
Question, floor amendment #1204h. Yeas, 158; Nays, 201 .....	650-653
Question, floor amendment #1199h. Yeas, 126; Nays, 229 .....	653-656
Question, majority committee report of ought to pass with amendment. Yeas, 193; Nays, 166 .....	656-658
Question, committee of conference report. Yeas, 346; Nays, 12 .....	950-952
HB 25, making appropriations for capital improvements.	
Question, floor amendment #1207h. Yeas, 98; Nays, 253 .....	672-674
Question, committee report of ought to pass with amendment. Yeas, 285; Nays, 68 .....	675-677
HB 103, reducing the penalty for violating a local vendor ordinance.	
Question, committee report of inexpedient to legislate. Yeas, 270; Nays, 77 .....	92-94
HB 106, relative to the demand for rent and other damages, and the repeal of the landlord-agent requirement.	
Question, committee report of inexpedient to legislate. Yeas, 214; Nays, 140 .....	86-88
HB 117, relative to driveway permits issued by the department of transportation.	
Question, committee report of inexpedient to legislate. Yeas, 273; Nays, 79 .....	89-91
HB 119, relative to voter registration.	
Question, majority committee report of ought to pass with amendment. Yeas, 190; Nays, 149 .....	379-381
Question, nonconcur with Senate amendment. Yeas, 238; Nays, 104 .....	849-851
HB 124, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system.	
Question, committee of conference report. Yeas, 192; Nays, 156 .....	953-955
HB 135, relative to physical force in defense of a person and relative to the definition of non-deadly force.	
Question, floor amendment #1031h. Yeas, 103; Nays, 254 .....	539-542
Question, floor amendment #1033h. Yeas, 146; Nays, 213 .....	542-544
Question, majority committee report of ought to pass with amendment. Yeas, 189; Nays, 184 .....	545-547
Question, reconsideration. Yeas, 175; Nays, 198 .....	547-550
HB 136, relative to compensation for attendance at meetings of the county convention.	
Question, committee report of ought to pass. Yeas, 116; Nays, 228 .....	125-128
HB 144, prohibiting the state, counties, towns, and cities from implementing programs of, expending money for, receiving funding from, or contracting with the International Council for Local Environmental Initiatives.	
Question, majority committee report of inexpedient to legislate. Yeas, 211; Nays, 141 .....	113-115
HB 146, increasing the speed limit on a portion of I-93 to 70 miles per hour.	
Question, committee report of ought to pass. Yeas, 292; Nays, 65 .....	340-342
HB 159, requiring patriotic exercises in public schools on federal Constitution Day.	
Question, committee report of ought to pass with amendment. Yeas, 326; Nays, 29 .....	83-85
HB 161, relative to school district policies on health and sex education.	
Question, lay on the table. Yeas, 160; Nays, 192 .....	328-330

**Roll Calls (cont.)**

- HB 168, increasing the beer tax.  
Question, majority committee report of inexpedient to legislate. Yeas, 308; Nays, 35.....122-125
- HB 183, relative to processing absentee ballots.  
Question, notwithstanding Governor's veto, shall bill become law. Yeas, 176; Nays, 163 .....989-992
- HB 185, relative to the fuel oil discharge cleanup fund.  
Question, committee report of ought to pass. Yeas, 186; Nays, 165 .....116-118  
Question, majority committee report of ought to pass. Yeas, 194; Nays, 156 .....578-581
- HB 242, relative to child passenger restraint requirements.  
Question, committee report of ought to pass with amendment. Yeas, 224; Nays, 137 .....425-427  
Question, committee of conference report. Yeas, 227; Nays, 126.....956-958
- HB 259, relative to special licenses for taking lobster while engaged in recreational scuba diving.  
Question, committee report of ought to pass with amendment. Yeas, 303; Nays, 66 .....250-252
- HB 260, relative to voluntary services provided by the department of health and human services to children in need.  
Question, committee amendment #0968h. Yeas, 215; Nays, 138.....573-575
- HB 264, relative to simple assault.  
Question, majority committee report of inexpedient to legislate. Yeas, 218; Nays, 111.....502-504
- HB 271, stating that New Hampshire will not accept expanded Medicaid.  
Question, majority committee report of inexpedient to legislate. Yeas, 206; Nays, 155.....416-418
- HB 287, eliminating voter identification requirements.  
Question, committee report of inexpedient to legislate. Yeas, 276; Nays, 38 .....519-521
- HB 289, increasing certain speed limits to 70 miles per hour.  
Question, majority committee report of inexpedient to legislate. Yeas, 206; Nays, 148.....343-345
- HB 290, prohibiting unlicensed persons from openly carrying a pistol or revolver in a public building.  
Question, committee report of inexpedient to legislate. Yeas, 322; Nays, 9 .....504-507
- HB 291, increasing certain speed limits to 75 miles per hour.  
Question, majority committee report of inexpedient to legislate. Yeas, 252; Nays, 100.....345-348
- HB 295, requiring criminal background checks for volunteers and employees at youth skill camps.  
Question, majority committee report of ought to pass with amendment. Yeas, 244; Nays, 112.....266-268  
Question, majority committee report of ought to pass with amendment. Yeas, 199; Nays, 150.....582-584  
Question, committee of conference report. Yeas, 241; Nays, 114.....959-961
- HB 306, establishing a commission to develop an energy policy for the state.  
Question, majority committee amendment. Yeas, 191; Nays, 157 .....462-465  
Question, concur with Senate amendment. Yeas, 207; Nays, 131.....821-823
- HB 307, relative to the removal of certain wood stoves upon the sale of a home and notification of such removal to the department of environmental services.  
Question, committee report of inexpedient to legislate. Yeas, 338; Nays, 9 .....155-158
- HB 316, relative to regulating alkaline hydrolysis for the disposal of human remains.  
Question, lay on the table. Yeas, 82; Nays, 214 .....589-591
- HB 323, establishing the Franklin Partin right-to-work act.  
Question, majority committee report of inexpedient to legislate. Yeas, 212; Nays, 141.....152-154
- HB 325, relative to public employee suggestions for cost-saving measures.  
Question, majority committee report of inexpedient to legislate. Yeas, 179; Nays, 179.....187-189
- HB 335, relative to the tobacco tax.  
Question, majority committee report of inexpedient to legislate. Yeas, 207; Nays, 135.....200-202
- HB 337, legalizing marijuana and cannabis.  
Question, majority committee report of inexpedient to legislate. Yeas, 239; Nays, 112.....369-371
- HB 354, reducing the rate of the business enterprise tax over a 5-year period and repealing the tax.  
Question, majority committee report of inexpedient to legislate. Yeas, 192; Nays, 161.....203-205
- HB 357, prohibiting an employer from using credit history in employment decisions.  
Question, ought to pass with amendment. Yeas, 213; Nays, 144 .....454-457
- HB 364, requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.  
Question, majority committee report of ought to pass with amendment. Yeas, 194; Nays, 89.....530-532
- HB 370, repealing the education tax credit program.  
Question, majority committee report of ought to pass. Yeas, 188; Nays, 151 .....206-208
- HB 382, reducing the nonresident fee for obtaining a license for a pistol or a revolver.  
Question, committee report of inexpedient to legislate. Yeas, 295; Nays, 74 .....244-247
- HB 387, relative to immunity of guardians ad litem.  
Question, majority committee report of inexpedient to legislate. Yeas, 245; Nays, 101 .....149-151

**Roll Calls** (cont.)

HB 388, relative to the storage of firearms.	
Question, majority committee report of inexpedient to legislate. Yeas, 167; Nays, 192.....	190-192
HB 390, allowing companion dogs in the outdoor areas of restaurants.	
Question, committee report of ought to pass with amendment. Yeas, 307; Nays, 25 .....	489-492
HB 399, establishing the New Hampshire liberty act.	
Question, committee report of ought to pass with amendment. Yeas, 337; Nays, 15 .....	349-351
HB 402, relative to complaint investigation procedures of the guardian ad litem board.	
Question, majority committee report of inexpedient to legislate. Yeas, 244; Nays, 99.....	143-145
HB 403, establishing a committee to study end of life decisions.	
Question, notwithstanding Governor's veto, shall bill become law. Yeas, 124; Nays, 218 .....	992-994
HB 411, repealing a future reduction in vessel registration fees.	
Question, committee report of ought to pass. Yeas, 236; Nays, 117 .....	269-271
Question, majority committee report of ought to pass. Yeas, 189; Nays, 153 .....	585-587
HB 418, establishing a committee to study a program to address children in need.	
Question, committee report of ought to pass with amendment. Yeas, 293; Nays, 50 .....	145-148
HB 423, relative to amending official ballot warrant articles.	
Question, committee report of inexpedient to legislate. Yeas, 286; Nays, 65 .....	272-274
HB 434, relative to renaming the business enterprise tax, capping the amount an employer is liable to pay under such tax, and annually reducing the rate of the tax.	
Question, majority committee report of inexpedient to legislate. Yeas, 201; Nays, 128.....	210-212
HB 443, prohibiting prison privatization.	
Question, lay on the table. Yeas, 144; Nays, 189 .....	508-510
Question, majority committee report of ought to pass with amendment. Yeas, 197; Nays, 136.....	510-513
HB 448, making changes to state representative districts.	
Question, committee report of inexpedient to legislate. Yeas, 282; Nays, 53 .....	381-384
HB 451, repealing the license requirement for carrying a concealed pistol or revolver.	
Question, committee report of inexpedient to legislate. Yeas, 226; Nays, 144 .....	550-552
HB 454, requiring consent prior to the installation of smart meters.	
Question, majority committee report of inexpedient to legislate. Yeas, 232; Nays, 124.....	419-421
HB 458, relative to resisting arrest.	
Question, committee report of inexpedient to legislate. Yeas, 252; Nays, 96 .....	371-374
HB 467, relative to purchasing alliances.	
Question, majority committee report of inexpedient to legislate. Yeas, 224; Nays, 107.....	492-494
HB 472, relative to residential units in rooming houses.	
Question, committee of conference report. Yeas, 235; Nays, 119.....	962-964
HB 479, relative to the creation and division of school districts.	
Question, committee report of inexpedient to legislate. Yeas, 287; Nays, 48 .....	277-280
HB 483, relative to information regarding abortion.	
Question, majority committee report of inexpedient to legislate. Yeas, 229; Nays, 121.....	335-337
HB 501, relative to the minimum wage.	
Question, floor amendment #0824h. Yeas, 152; Nays, 182.....	386-389
Question, majority committee report of ought to pass with amendment. Yeas, 200; Nays, 133.....	389-391
HB 505, relative to the economic development advisory council.	
Question, notwithstanding Governor's veto, shall bill become law. Yeas, 165; Nays, 175 .....	995-997
HB 530, relative to annual reporting requirements for business entities.	
Question, majority committee report of inexpedient to legislate. Yeas, 220; Nays, 107.....	495-497
HB 561, abolishing the department of cultural resources.	
Question, committee report of inexpedient to legislate. Yeas, 253; Nays, 86 .....	275-277
HB 564, relative to simulcast greyhound races.	
Question, majority committee report of inexpedient to legislate. Yeas, 243; Nays, 108.....	353-356
HB 573, relative to the use of marijuana for medicinal purposes.	
Question, committee report of ought to pass with amendment. Yeas, 286; Nays, 64 .....	447-450
Question, committee of conference report. Yeas, 284; Nays, 66.....	965-967
HB 575, relative to hours of sales of on-premises liquor licensees.	
Question, majority committee report of ought to pass with amendment. Yeas, 208; Nays, 123.....	498-500
HB 578, relative to the determination of parental rights based on the best interest of the child.	
Question, lay on the table. Yeas, 101; Nays, 230 .....	484-486
Question, majority committee report of inexpedient to legislate. Yeas, 251; Nays, 81.....	486-488
HB 590, relative to the unauthorized practice of law.	
Question, recommit. Yeas, 178; Nays, 182.....	194-196

**Roll Calls (cont.)**

HB 595, relative to photo identification of voters.	
Question, minority committee amendment #0615h. Yeas, 126; Nays, 180.....	523-526
Question, majority committee report of ought to pass. Yeas, 184; Nays, 122 .....	526-528
Question, committee of conference report. Yeas, 231; Nays, 121.....	968-970
HB 617, increasing the rate of the road toll, and establishing the New Hampshire state and municipal road and bridge account.	
Question, lay on the table. Yeas, 126; Nays, 207 .....	256-258
Question, floor amendment #0696h. Yeas, 120; Nays, 251.....	259-261
Question, majority committee report of ought to pass with amendment. Yeas, 207; Nays, 163.....	262-264
HB 617, increasing the rate of the road toll, increasing the vehicle registration fee, and establishing the New Hampshire state and municipal road and bridge account.	
Question, floor amendment #1127h. Yeas, 146; Nays, 217.....	559-561
Question, majority committee report of ought to pass with amendment. Yeas, 206; Nays, 158.....	562-564
HB 621, decriminalizing possession of less than one ounce of marijuana.	
Question, majority committee report of inexpedient to legislate. Yeas, 136; Nays, 193.....	514-516
HB 630, repealing the New Hampshire regional greenhouse gas initiative program.	
Question, majority committee amendment #0712h. Yeas, 204; Nays, 153 .....	422-424
HB 648, permitting current marital masters to remain in office until retirement, resignation, disability, or nonrenewal of appointment.	
Question, majority committee report of ought to pass with amendment. Yeas, 206; Nays, 142.....	451-453
HB 659, increasing the tobacco tax.	
Question, majority committee report of ought to pass with amendment. Yeas, 193; Nays, 167.....	428-431
HB 664, relative to the New Hampshire vaccine association.	
Question, committee of conference report. Yeas, 235; Nays, 115.....	970-973
HB 665, relative to video lottery and table gaming.	
Question, committee report of inexpedient to legislate. Yeas, 249; Nays, 65 .....	480-482
HB 683, relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management.	
Question, majority committee report of ought to pass. Yeas, 165; Nays, 191 .....	565-568
HCR 2, requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.	
Question, lay on the table. Yeas, 160; Nays, 182 .....	467-470
Question, lay on the table. Yeas, 150; Nays, 186 .....	470-472
Question, indefinitely postpone. Yeas, 151; Nays, 187 .....	472-475
Question, majority committee report of ought to pass. Yeas, 189; Nays, 139 .....	475-477
HR, House Rules: Rule 18 Petitions.	
Question, amendment to House Rules. Yeas, 264; Nays, 109.....	20-22
HR, House Rules: Rule 30 Committee Names and Duties.	
Question, amendment to House Rules. Yeas, 226; Nays, 147.....	22-25
HR, House Rules: Rule 63 Deadly Weapons; Electronic Devices; Cameras.	
Question, floor amendment. Yeas, 271; Nays, 102.....	25-28
Question, floor amendment. Yeas, 156; Nays, 209.....	28-30
Question, amend House Rules. Yeas, 196; Nays, 153 .....	31-33
HR, House Rules: Rule 65 Deadlines.	
Question, suspend House Rules. Yeas, 321; Nays, 38.....	218-221
HR 9, honoring the victims and heroes of the Boston Marathon Tragedy.	
Question, ought to pass. Yeas, 312; Nays, 0.....	748-750
HR 11, relative to a request from the House of Representatives to the Honorable Senate.	
Question, ought to pass. Yeas, 327; Nays, 19.....	974-976
SB 1, increasing the research and development tax credit against the business profits tax.	
Question, committee report of ought to pass with amendment. Yeas, 342; Nays, 7 .....	358-361
SB 11, relative to water and sewer utility districts and water or sewer utility districts.	
Question, lay on the table. Yeas, 86; Nays, 244 .....	811-813
Question, ought to pass with amendment. Yeas, 254; Nays, 74 .....	814-816
SB 20, making modifications to the DWI ignition interlock program.	
Question, majority committee report of ought to pass with amendment. Yeas, 252; Nays, 76.....	807-809
SB 40, relative to distribution of education funds for fiscal year 2013.	
Question, majority committee report of ought to pass. Yeas, 303; Nays, 34 .....	280-283
SB 41, revising the New Hampshire business corporations act, RSA 293-A.	
Question, committee report of ought to pass with amendment. Yeas, 336; Nays, 0.....	856-858
SB 43, relative to the property taxation of qualifying historic buildings.	
Question, committee report of ought to pass with amendment. Yeas, 246; Nays, 101 .....	697-699

**Roll Calls (cont.)**

- SB 47, relative to a surviving spouse's right to retain a Purple Heart plate.  
 Question, lay on the table. Yeas, 155; Nays, 188 .....836-838  
 Question, floor amendment #1993h. Yeas, 111; Nays, 236 .....840-842  
 Question, lay on the table. Yeas, 161; Nays, 185 .....843-845  
 Question, committee report of ought to pass. Yeas, 188; Nays, 158 .....845-847
- SB 48, relative to school performance and accountability.  
 Question, committee report of ought to pass with amendment. Yeas, 198; Nays, 134 .....862-865  
 Question, print debate in Permanent Journal. Yeas, 300; Nays, 32 .....865-867  
 Question, committee of conference report. Yeas, 205; Nays, 143 .....934-936
- SB 83, relative to the controlled drug prescription health and safety program.  
 Question, committee report of ought to pass. Yeas, 238; Nays, 105 .....688-691
- SB 89, relative to the definition of lead fishing sinkers and jigs and the penalties for prohibited sales of lead fishing sinkers and jigs.  
 Question, lay on the table. Yeas, 156; Nays, 211 .....777-780  
 Question, committee report of ought to pass with amendment. Yeas, 225; Nays, 142 .....780-782
- SB 97, relative to high school equivalency and relative to illiteracy.  
 Question, committee report of ought to pass. Yeas, 229; Nays, 46 .....914-916  
 Question, reconsideration. Yeas, 50; Nays, 225 .....917-919
- SB 119, directing the joint legislative historical committee to conduct a study of state house flag restoration and preservation.  
 Question, ought to pass with amendment. Yeas, 284; Nays, 39 .....743-745
- SB 122, establishing a commercial shrimp license.  
 Question, committee report of ought to pass. Yeas, 257; Nays, 107 .....783-785
- SB 124, establishing an integrated land development permit.  
 Question, majority committee report of ought to pass with amendment. Yeas, 218; Nays, 137 .....726-728
- SB 126, relative to business practices between motor vehicle manufacturers, distributors, and dealers.  
 Question, majority committee report of ought to pass with amendment. Yeas, 338; Nays, 30 .....774-776
- SB 129, relative to court-ordered placements in shelter care facilities and at the Sununu Youth Services Center, relative to the children in need of services.  
 Question, majority committee report of ought to pass with amendment. Yeas, 175; Nays, 137 .....879-881  
 Question, floor amendment #1967h. Yeas, 140; Nays, 170 .....882-884  
 Question, majority committee report of ought to pass with amendment. Yeas, 179; Nays, 132 .....884-886
- SB 135, relative to the regulation of the practice of genetic counseling.  
 Question, majority committee report of ought to pass with amendment. Yeas, 180; Nays, 140 .....876-878  
 Question, reconsideration. Yeas, 108; Nays, 247 .....941-944
- SB 143, relative to benefits for unemployed persons who are attempting to establish a business.  
 Question, majority committee report of ought to pass. Yeas, 183; Nays, 149 .....799-801
- SB 146, relative to aid to the permanently and totally disabled and old age assistance.  
 Question, majority committee report of inexpedient to legislate. Yeas, 126; Nays, 163 .....893-895  
 Question, minority committee report of ought to pass. Yeas, 190; Nays, 100 .....895-897
- SB 148, relative to electric renewable portfolio standards.  
 Question, floor amendment #2010h. Yeas, 166; Nays, 119 .....909-911  
 Question, ought to pass with amendment. Yeas, 170; Nays, 113 .....911-913  
 Question, committee of conference report. Yeas, 225; Nays, 128 .....939-941
- SB 152, relative to video lottery and table gaming.  
 Question, majority committee report of inexpedient to legislate. Yeas, 199; Nays, 164 .....787-789  
 Question, reconsideration. Yeas, 152; Nays, 212 .....789-792
- SB 153, relative to legislative approval of collective bargaining agreements entered into by the state.  
 Question, majority committee report of inexpedient to legislate. Yeas, 191; Nays, 135 .....802-804
- SB 163, establishing a commission to recommend legislation to prepare for projected sea level rise and other coastal and coastal watershed hazards.  
 Question, committee report of ought to pass with amendment. Yeas, 228; Nays, 124 .....728-731
- SB 164, authorizing coastal management provisions in master plans.  
 Question, majority committee report of ought to pass with amendment. Yeas, 210; Nays, 143 .....731-734
- SB 170, relative to advance directives pertaining to life-sustaining treatment.  
 Question, lay on the table. Yeas, 125; Nays, 209 .....737-739
- SB 187, posthumously emancipating enslaved Africans in New Hampshire.  
 Question, committee report of ought to pass with amendment. Yeas, 344; Nays, 2 .....693-695  
 Question, committee report of ought to pass with amendment. Yeas, 336; Nays, 0 .....699-702

**Roll Calls (cont.)**

SB 194, requiring the department of health and human services to implement the Medicaid family planning expansion.	
Question, committee report of ought to pass. Yeas, 212; Nays, 120.....	740-742
SCR 1, relative to special use permits in the White Mountain National Forest.	
Question, remove from the table. Yeas, 259; Nays, 81 .....	976-979
CACR 1, relating to taxation. Providing that 3/5 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments of principal of all state bonds.	
Question, majority committee report of inexpedient to legislate. Yeas, 206; Nays, 149.....	119-121
CACR 3, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children.	
Question, majority committee report of inexpedient to legislate. Yeas, 228; Nays, 133.....	182-185
SS HB 1, relative to access to health insurance coverage	
Question, Special Session House Rules. Yeas, 280; Nays, 41.....	1010-1012
Question, motion to recess. Yeas, 136; Nays, 187.....	1013-1015
Question, introduction of Special Session HB 1. Yeas, 183; Nays, 141 .....	1015-1017
Question, shall the ruling of the chair be upheld. Yeas, 209; Nays, 139.....	1027-1029
Question, shall the ruling of the chair be upheld. Yeas, 215; Nays, 137.....	1029-1032
Question, shall the ruling of the chair be upheld. Yeas, 219; Nays, 133.....	1032-1034
Question, shall the ruling of the chair be upheld. Yeas, 215; Nays, 137.....	1034-1037
Question, indefinitely postpone. Yeas, 159; Nays, 195 .....	1037-1039
Question, motion to adjourn. Yeas, 144; Nays, 211 .....	1039-1042
Question, motion to print debate. Yeas, 115; Nays, 240 .....	1042-1044
Question, majority committee amendment. Yeas, 204; Nays, 151 .....	1044-1047
Question, majority committee report of ought to pass with amendment.	
Yeas, 156; Nays, 197 .....	1047-1049
Question, motion to divide. Yeas, 154; Nays, 200 .....	1050-1052
Question, motion to divide. Yeas, 142; Nays, 208 .....	1053-1055
Question, floor amendment #2434h. Yeas, 162; Nays, 191.....	1055-1058
Question, floor amendment #2419h. Yeas, 154; Nays, 197.....	1058-1061
Question, floor amendment #2415h. Yeas, 146; Nays, 195.....	1061-1063
Question, floor amendment #2420h. Yeas, 142; Nays, 200.....	1064-1067
Question, motion to limit debate. Yeas, 232; Nays, 112 .....	1068-1070
Question, lay on the table. Yeas, 139; Nays, 203 .....	1070-1072
Question, majority committee report of ought to pass with amendment.	
Yeas, 198; Nays, 146 .....	1073-1075
<b>Rudman, Hon. Warren</b> , unanimous consent, memorial remarks by Rep. David Hess .....	130-131
<b>Rules</b>	
administrative procedure	
exemptions, driveway permits issued by transportation department.....	HB 117
resources and economic development, assessing fines, prospective repeal repealed.....	SB 14am
of evidence, family division of the courts .....	HB 605
House, rules of 2012 session adopted for 2013-2014 biennium.....	HR 1
state agencies, certain exemptions from administrative procedures act repealed.....	HB 266
<b>Rye</b> , Isle of Shoals memorial, Ragged Neck in Rye Harbor State Park, commission .....	HB 25am

**S****Safety department**

2011 capital improvements appropriation purpose amended .....	HB 25am
bureau of building safety and construction established.....	HB 2
bureau of hearings, hearings held on behalf of the commissioner and divisions .....	SB 13
coin-operated amusement rides, inspections and regulation, clarified .....	HB 207
commissioner, adopt procedures for state agency telecommunications services .....	HB 372
emergency management administration, appropriation; lapse dates extended.....	HB 2am
employment or promotion, background checks of candidates.....	HB 282am
fire standards and training and emergency medical services, funds transferred .....	HB 2
funds from general fund required hard match for federal assistance .....	HB 2am
gaming enforcement division; video lottery gaming .....	HB 678
homeland security and emergency management director, appointed; retirement system.....	HB 124am
homeland security and emergency management division, disaster relief fund established.....	SB 157



**Safety department (cont.)**

- information and analysis center, prospective repeal repealed ..... HB 453
- motor vehicles division, driver's licensing and registration office in Belknap county ..... HB 500
- navigation safety fund, nonlapsing ..... HB 2am

**Salem**, patrol shed and salt storage, 2011 capital improvements appropriation amended ..... HB 25am

**Sales**

- alcohol, on-premises licensees may sell until 2:00 am if authorized by local ordinance ..... HB 575am
- credit cards, surcharge fees prohibited ..... HB 682
- fireworks, certain devices prohibited; required safety information to purchaser, penalties ..... HB 336
- food
  - genetically engineered, labeling requirements ..... HB 660
  - homestead food operations exempt from licensure to label ..... HB 177
- lead sinkers and jigs, definition clarified; prohibited sales, penalties ..... SB 89
- pets, all dogs, cats, birds, and ferrets accompanied by health certificate within 14 days ..... HB 328
- portable electronic devices, insurance claims adjusters regulated, clarified ..... SB 94
- poultry and rabbits, sales to restaurants allowed ..... HB 608
- wine, purchasing and pricing, study ..... HB 468

**Sanborn, Timothy**, petition filed on behalf of ..... 72

**Sanbornton**, Hermit Lake dam, acquisition by environmental services ..... HB 111am

**School buses**, mixed use definition modified ..... HB 282

**School districts**

- adequate education, funding, grants, amount increased ..... HB 2am
- boards
  - selectmen, appointment authorized ..... HB 589
  - teacher performance evaluation system, adoption with teachers and principals ..... HB 142am
  - truancy policies, requirements added ..... HB 2
- choice, out-of-district school, policy established ..... HB 631
- cooperative
  - apportionment formula for towns with electric generation facilities, study ..... HB 305
  - budget committee, procedure for filling vacancy modified ..... HB 115
- creation and division allowed ..... HB 479
- custody, transportation, not responsible beyond designated area for assigned school ..... HB 160
- firearms, possession by employees, policies and procedures ..... HB 609
- Greenland, meeting and election held March 11 and 12, 2013 ratified ..... HB 139am
- health and sex education
  - policy allowing exception at request of parent or legal guardian required ..... HB 161
  - policy allowing exception for moral beliefs ..... HB 201
- high schools, students enrolled in college courses to participate in extracurricular activities ..... HB 214
- kindergarten budget separate ..... HB 324
- kindergarten, construction program, bonds authorized ..... HB 25am
- membership data, state to develop and implement verification system ..... HB 317
- Newfound, tax cap for 2014, not include previous fiscal year lapsed balances ..... HB 101
- official ballot voting, default budget and amendment of petitioned warrant articles ..... HB 280
- official ballot form, inspectors appointed by political parties as ballot clerks ..... HB 150
- official ballot form, petitioned warrant articles may not be amended ..... HB 423
- petitions, other educational approaches have been tried and failed ..... HB 433
- pupil exchange agreements allowed ..... HB 680
- special education, state aid requirements amended ..... HB 344
- special meetings necessitated by changes in adequate education funding authorized ..... HB 269am
- special meetings to consider changes in amount of state funding, procedures ..... HB 2
- sports injuries, definitions for "student athlete" and "student sports" amended ..... HB 180
- vocational tuition and transportation payments used for vocational education program ..... HB 563

**Schools**

- adequate education, funding, grants, amounts to municipalities increased ..... HB 2am
- boards
  - selectmen, appointment authorized ..... HB 589
  - performance evaluation system, adoption with teachers and principals ..... HB 142am
- building aid grants,
  - criteria amended; school building plans, security criteria added ..... HB 629am
  - funds received subtracted from total project costs ..... SB 27am
  - "high performance school" designation procedure ..... HB 629

**Schools (cont.)**

building aid grants, (cont.)	
moratorium, White Mountain Regional school district, exempt .....	HB 570
or alternative building aid, suspended for biennium; waiver .....	HB 2
priority for high school with probationary or revoked accreditation status .....	HB 626
charter	
application, state board required to review .....	HB 424
establishment, include information on board of trustees in application .....	HB 243
funding amended, based on 50 percent of statewide average cost per public school pupil .....	HB 435
funding, education expenditures limited; first year program audit clarified .....	HB 2am
funding, expenditures limited for biennium .....	HB 2
state board approval, moratorium between July 1, 2013 and June 30, 2015 .....	HB 2am
tuition payments statute amended .....	HB 299
education trust fund, revenues from keno .....	HB 485
firearms, possession by employees, policies and procedures .....	HB 609
funding	
distribution for certain municipalities for fiscal year 2013 .....	SB 40
education property tax, collection to revenue administration; rebate to eligible taxpayers .....	HB 318
general court to define standards and accountability, allocate to mitigate disparities .....	CACR 7
high schools, to support robotics programs for biennium .....	HB 2
video lottery and table gaming proceeds to education trust fund .....	SB 152
Greenland, school district meeting and election held March 11 and 12, 2013 ratified .....	HB 139am
high schools	
Alvirne, vocational technical center renovations .....	HB 679
college courses completed counted in grade point average .....	HB 213
dual enrollment programs, study .....	HB 471
equivalency testing, replaces reference to GED .....	SB 97
mathematics, 4 years required for graduation .....	HB 533
statewide assessment for graduation, proficiency level or above .....	HB 321
students enrolled in college courses eligible to participate in extracurricular activities .....	HB 214
vocational tuition and transportation payments used for vocational education program .....	HB 563
illiteracy, provision requiring ages 16 to 18 years to attend special school repealed .....	SB 97
literature from patriotic organizations, access to school-approved means of communication .....	HB 223
nonpublic, business enterprise tax,	
education tax credit program repealed .....	HB 370
education tax credit repealed .....	HB 2
performance based accountability, statute amended; local improvement fund repealed .....	SB 48am
power to authorize and fund political subdivisions to establish schools at their own expense .....	CACR 6
public	
competency-based system, study .....	SB 82
mental health examination, parental consent required .....	HB 384
patriotic exercises on federal Constitution Day required .....	HB 159
pupil exchange agreements allowed .....	HB 680
statewide assessment, proficiency required for advancement to grades 4 and 8 .....	HB 322
pupils, sports, concussions, definitions for “student athlete” and “student sports” amended .....	HB 180
school nurse or other school personnel may administer glucagon injections .....	HB 494
special education program approval and monitoring system in 2015, evaluation required .....	SB 27

**Schuett, Hon. Dianne**, unanimous consent, congratulatory remarks for Doorkeeper John Theuner ..... 533

**Scrap metal dealers**, community-based commodities reporting system, study .....

**Scuba divers**, recreational, taking of lobster, special license .....

**Search and rescue fund**, fish and game not to use for paying search and rescue employees .....

**Seat belts**, child passenger restraints amended .....

**Secretary of state**

absentee voting, candidates may obtain absentee voter applicant information; fees .....	HB 412
business names registered, similar name to an existing business or other entity allowed .....	HB 222
elections	
definition of “department” shall not apply to execution of constitutional duties .....	HB 186
voter identification, expenditure of funds for implementation of laws prohibited .....	HB 2am
voter registration database information for preparation of jury lists, clarified .....	HB 294
elections, checklists, deadline for sending copies to state archives extended .....	HB 352
information practices act, repealed .....	SB 127

**Secretary of state (cont.)**

- lobbyists, contribution reports published on Internet..... HB 406
- state contracts, registered, dollar amount increased ..... SB 127

**Securities regulation**, fraud, Financial Resources Mortgage, Inc., recovery fund; appropriation ..... SB 180

**Security services**, regulation and licensing by safety commissioner..... HB 353

**Security services and guards**, universities, report felony offenses to law enforcement ..... HB 125

**Senate**, districts reapportioned, independent redistricting commission established..... HB 579

**Sentences**

## annulment, records

- hearing or petition not required..... HB 447
- sealed, removal by state police criminal records unit upon payment of required fee..... HB 450
- statute amended ..... HB 618
- class B burglary, mandatory minimum sentence ..... HB 274
- earned time credits for educational and rehabilitative programming ..... HB 649
- earned time credits for successful completion of educational programs..... HB 404
- extended term of imprisonment
  - for assault against a health care worker ..... HB 217
  - for persons with two prior convictions, circumstances amended..... HB 645
- misdeemeanor and violation, person issued a summons may obtain a copy of the police report..... HB 389
- parole, certain notice and information to the victim provided by corrections department..... HB 167

**Sewer commission**, and water, separate warrant articles submitted ..... SB 197am

**Sex education**

- policy allowing exception for moral beliefs ..... HB 201
- policy allowing exception at request of parent or legal guardian..... HB 161

**Sexual offenders**

- or offenders against children, registration, residency restrictions prohibited, study ..... HB 442am
- registry, study ..... HB 165

**Shattuck, Hon. Gilman**, unanimous consent, memorial remarks for Hon. Herbert Hansen..... 998

**Shelter care facilities for juveniles**, shelter bed certification repealed ..... HB 2

**Sheriffs**, and deputies, mileage fees calculation for serving process amended..... SB 139

**Shrimp**, commercial licenses ..... SB 122

**Sibling's visitation rights**, petition procedure..... SB 137

**Signs**, motorist service, program, rulemaking exemption; rental fee setting process, rules..... SB 29am

**Slavery**, emancipation, posthumous, 20 African-Americans in NH ..... SB 187

**Sleep-related disorders**, polysomnographers, licensing by respiratory care practitioners board..... HB 326

**Smith, John**

- memorial of Isle of Shoals discovery, construction
  - appropriation..... HB 441
  - Ragged Neck in Rye Harbor State Park, commission..... HB 25am

**Snowmobiles**

- operators on highways where permitted, licensed to drive or accompanied by a person who is..... HB 383
- registration fees, requirement removed; vanity plates or decals not authorized ..... HB 304

**Social media**

- executors and administrators, authorized to take control of decedent's accounts..... HB 116
- passwords, employers prohibited from requiring disclosure ..... HB 379
- ..... HB 414

**Social security numbers**, removed from registry of deeds documents available on Internet..... HB 204am

**Soil conditioners**, containing nitrogen and phosphorus, limit on sale and use..... HB 393

**Solid waste**

- ban on combustion of untreated wood at municipal transfer stations, exemption repealed..... HB 517
- ban on combustion of untreated wood at municipal transfer stations, repealed..... SB 31
- landfills, closure projects, state aid, funds appropriated..... HB 623
- management districts, withdrawal and bonding, official ballot voting procedures ..... HB 139

**Solid waste (cont.)**

- storage and disposal, wildlife resistant containers required ..... HB 276
- towns, special use vehicle permit fees to pay for recycling and reclamation of solid waste ..... HB 112am

**Special education**

- program approval and monitoring system in 2015, evaluation required ..... SB 27
- school districts, state aid requirements amended ..... HB 344

**Sports, concussions, definitions for “student athlete” and “student sports” amended ..... HB 180****State agencies**

- budget requests, performance measurement system required ..... HB 656
- human resources functions, consolidation authorized ..... HB 2
- information practices act, repealed ..... SB 127
- open source software use; information practices act repealed; legislature exempt ..... HB 155am
- operating budget, efficiency expenditure requests, submission required ..... HB 657
- rules, certain agency rulemaking exemptions from administrative procedures act repealed ..... HB 266
- telecommunication services, safety commissioner to adopt procedures ..... HB 372
- weather modification experimentation, law repealed ..... HB 179

**State bank, economic development, established ..... HB 320****State buildings, office space available, agencies renting private space required to occupy ..... HB 1****State color, official, orange, red, and yellow ..... HB 420****State contracts**

- \$25,000 or more, approved by governor and council ..... HB 686
- liquor commission, \$10,000 or more, review by attorney general, governor and council ..... HB 686am
- registered with secretary of state, dollar amount increased ..... SB 127

**State department**

- capital improvements appropriation; lapse dates extended ..... HB 25
- state records manager position established ..... HB 2am

**State employees**

- appropriation, parking benefit ..... HB 2am
- benefits increased for serving in armed forces ..... HB 319
- bumping rights suspended ..... HB 2
- cash balance retirement plan use, study ..... HB 455
- classified, governor to reduce appropriations for compensation and benefits for biennium ..... HB 2am
- collective bargaining agreements
  - fiscal committee approval required ..... HB 414am
  - ..... SB 153
- pay differential for direct care employees at state institutions, not applicable ..... HB 477
- health and human services
  - classified employees appointed to unclassified positions, retain leave time ..... HB 398
  - commissioner authority to fill unfunded positions ..... HB 2
- health plan, same for employees covered by collective bargaining agreement ..... HB 2am
- health risk appraisal considered protected health information ..... HB 2am
- laid off, between certain dates, rehiring ..... HB 2
- positions abolished ..... HB 1
- right to work, union membership requirement prohibited; employee’s freedom of choice ..... HB 323
- salaries increased ..... HB 2am
- veterans, preference in hiring, policy, study ..... SB 90

**State funds, general fund-supported debt, authorization limited ..... HB 614****State house**

- Civil War flags preservation, funds from production of Civil War commemorative bottle ..... SB 155am
- display of portrait by historical committee authorized ..... HJR 1
- portrait of suffragist Marilla Marks Ricker acquired and displayed ..... SB 119am
- security, study ..... HB 622

**State lands, construction across state owned land or water, temporary license ..... SB 175am****State library, transferred to secretary of state as division of libraries ..... HB 561****State officials**

- compensation ..... HB 2am
- ethics, legislators and legislative employees separate from executive branch ..... HB 548

**State officials (cont.)**

- gifts, value increased; certain items provided to state legislators excluded..... HB 170
- interference with access to medical services and health insurance of NH citizens prohibited ..... HB 218

**State parks**

- and historical sites, free over 65, discount coupon fee books eliminated ..... SB 190am
- Franconia Notch, war memorial, standards of care ..... HB 233
- fund, revenue from Cannon Mountain..... HB 2am
- Hampton Beach, commissioner authorized to enter contracts for free wifi internet access..... HB 273
- Jericho Mountain, OHRV operation of certain 4-wheel drive vehicles on trails allowed..... HB 349
- Rye Harbor, memorial of Isle of Shoals discovery, Ragged Neck, commission ..... HB 25am
- trails, OHRVs, size and weight limitations increased in Coos and Grafton county..... HB 574am

**State police**

- duties, vehicle inspection, reference to highway enforcement officers deleted ..... SB 22
- gaming enforcement unit established ..... SB 152
- troopers, auxiliary, time of service prohibition repealed..... SB 165am
- troopers, salaries increased ..... HB 2am

**State vegetable**, official, white potato..... HB 535

**STEM scholars program**, University of NH system, established..... HB 643

**Stoves**, wood, removal upon sale of home, notification to environmental services department..... HB 307

**Street rod**, body and frame age requirement modified..... HB 192

**Studies**

- armed forces, post-traumatic stress disorder and traumatic brain injuries, extended..... SB 90am
- banks, state infrastructure bank established..... SB 192am
- children in need of services (CHINS) program..... HB 418
- ..... HB 433
- children, abused or neglected, public-private partnerships, study ..... HB 572
- constitution, NH, amendment, prevent dedicated funding from being diverted..... HB 549
- disabled, general court policies and procedures ..... HB 602
- education, dual enrollment programs..... HB 471
- education, public schools, competency-based system ..... SB 82
- election laws and procedures ..... HB 521
- electric power
  - energy facility site evaluation committee, criteria; adopt rules by January, 2015..... SB 99am
  - renewable portfolio standards..... HB 542am
  - reimbursement rates for excess electricity generated by generator groups..... SB 98
- electric renewable portfolio standards, future purchase percentage adjustment mechanisms ..... SB 148
- energy, state, positions consolidated ..... SB 178
- environment, regulation, overlap of federal, state, and local ..... HB 516
- gambling, keno games, implementation ..... HB 520
- gambling, video lottery, and table gaming, operation and licensing, effects on community ..... SB 152am
- general court, joint legislative historical committee, state house flag restoration..... SB 119am
- health care, telehealth technology, use barriers, resolution ..... HB 556
- highways, rest areas and welcome centers, currently closed, staffing study ..... HB 635
- housing, affordable, policy and regulation ..... SB 185
- insurance, family leave insurance program ..... HB 551
- judicial branch, family court division..... HB 571
- junk dealers, community-based commodities reporting system ..... SB 104
- law enforcement, officers, special details, use and efficacy..... SB 132
- liquor licenses, eliminating and combining ..... HB 457
- mental health beds, increasing, funding mechanisms..... HB 499
- motor vehicle road toll, revenue alternatives for funding highways and bridges ..... HB 617am
- pharmacies, benefits managers, regulation ..... SB 117am
- public assistance, FANF and SSP, and old age assistance..... HB 557
- solitary confinement in NH prisons..... HB 480
- state house security ..... HB 622
- taxes, property, due date extended..... HB 593
- transportation, sale of naming rights for certain structures ..... HB 534
- veterans, state employment, preference in hiring policy ..... SB 90
- veterinary diagnostic laboratory, permanent funding options ..... HB 547
- wine, purchasing and pricing ..... HB 468
- workers' compensation, prescription drugs use and misuse..... SB 71

**Subdivisions**

- abutter, easement required ..... HB 114
- archaeological deposits, protection or preservation in master plans, site plan review ..... SB 12am

**Suicide**, end of life decisions, study ..... HB 403am

**Sununu Youth Services Center**

- appropriation reductions, plan to fiscal committee..... HB 1
- report to fiscal committee on potential uses ..... HB 2am
- shelter care facilities, court ordered placements.....SB 129
- usage report to legislature..... HB 260am

**Superior courts**

- appeals, workers' compensation appeals board, transferred from supreme court ..... HB 647
- bail commissioners, appointment; conflict of interest.....SB 34
- center, lease of rental space, cost and space limitations set..... HB 2
- Coos county, marital master appointed ..... HB 670
- domestic violence petitions, jurisdiction removed ..... SB 69
- planning board decisions, appeals to board of adjustment made prior.....SB 49

**Support****children**

- calculation based on residential responsibility ..... HB 538
- college contributions, parental agreement, court approval and enforcement ..... HB 554
- enforcement, court finding prior to holding party in contempt or imposing sanctions..... HB 539
- guidelines, total obligation no greater than foster care reimbursement rate ..... HB 536
- health and human services, payments to administrative office of the courts..... HB 1
- medical support obligation and self-support reserve, calculation clarified.....SB 25
- separate bank account for deposit payments ..... HB 552
- study ..... HB 405

**Supreme court****administrative office**

- child support services, payments from health and human services..... HB 1
- superior court center, lease of rental space, cost and space limitations set ..... HB 2
- appeals, from workers' compensation board, transferred to superior court ..... HB 647
- attorneys, not licensed by supreme court, representing parties no more than 10 a year ..... HB 590
- judicial branch IT fund, revenue from filing fees ..... HB 652
- opinions, *Roe v. Wade*, 40th anniversary commemoration, affirming support ..... HR 6
- rules of evidence for family division of courts adopted..... HB 605
- rules, force and effect of law removed.....CACR 4

**T**

**Tahir, Hon. Sahir**, unanimous consent, memorial remarks by Rep. William Infantine ..... 1018

**Task force**, work and family issues, composition and duties changed ..... HB 551

**Taxes**

- beer, rate increased, revenue to alcohol abuse prevention and treatment fund ..... HB 168
- business enterprise
  - against business profits tax, carry forward period extended..... HB 2
  - compensation redefined..... HB 2am
  - Coos county job creation, extended ..... HB 676am
  - education tax credit repealed..... HB 2
  - education tax credit program repealed ..... HB 370
  - rate reduced over 5-year period; tax repealed July 1, 2018 ..... HB 354
  - renamed as business income tax; amount employer is liable capped; rate reduced annually..... HB 434
  - threshold amounts, effective changes date extended..... HB 2
- business profits
  - credit for motion picture production expenditures ..... HB 540
  - credits, education tax credit repealed ..... HB 2
  - credits, issued by revenue administration commissioner, increased ..... HB 2
  - credits, research and development increased; prospective repeal repealed..... SB 1am
  - credits, research and development, prospective repeal date repealed ..... HB 240
  - credits, research and development, prospective repeal repealed..... HB 2
  - deductions, reasonable compensation, record-keeping safe harbor deduction, increased..... HB 598
  - education tax credit program repealed ..... HB 370
  - net operating loss carryover date extended ..... HB 2

**Taxes (cont.)**

community revitalization tax relief program, historic structure rehabilitation included .....	SB 80
counties, income tax, administered by revenue administration .....	HB 330
credits, veterans, notarized statement of service letter; active duty training .....	HB 518
education property, collection transferred to revenue administration; rebate to taxpayers .....	HB 318
exemptions	
credits, or deferrals, property, publications of names prohibited; penalties .....	HB 298
farm buildings and structures, local option .....	HB 531
for water and air pollution control facilities, apply only to net book value .....	HB 672
federal, earned income tax credit, health and human services to promote awareness .....	HB 288
land use change, nonpayment within 120 days, land assessed under current use .....	HB 669
meals and rooms	
distribution to cities and towns, funding levels .....	HB 2
revenue credited to DRED travel and tourism development, calculation modified .....	HB 2
revenue data in municipality, collection and public availability .....	HB 662
Medicaid enhancement	
commission established .....	HB 2
special hospitals for rehabilitation exempt .....	HB 2am
uncompensated care fund, allocation and use modified .....	HB 2
new or increased rate, 3/5 vote required; exception for bonded debt .....	CACR 1
Newfound, tax cap for 2014, not include previous fiscal year lapsed balances .....	HB 101
property	
assessing standards board, certain duties transferred from equalization standards board .....	HB 181
bills, due date extended, study .....	HB 593
deferral for elderly or disabled, paid to municipality granting deferral on sale of property .....	HB 655
historic structures, qualifying buildings, appraisal at market value percentage .....	SB 43
optional credit amount amended for service-connected total disability .....	HB 446
part year veterans' credits granted by towns and cities .....	HB 176
renewable generation facility, payments in lieu of property tax .....	SB 179am
residences in industrial or commercial zone, appraisal .....	HB 438
property held in another town for water works or flood control, voluntary agreement .....	SB 58
state or municipal, rates graduated .....	CACR 2
technical corrections .....	SB 30
tobacco products	
"cigarette" redefined to match definition under Master Settlement Agreement .....	HB 488
laws amended .....	HB 427
rate increased .....	HB 2
.....	HB 659
rate increased, repealed .....	HB 335
rate, other than cigarettes, changed .....	HB 490
stamp purchasers, refunds limited; exception .....	HB 487
towns, calculation of local tax cap adjusted .....	SB 2

**Technology, STEM scholars program, University of NH system .....** HB 643

**Telecommunications**

personal wireless service facilities, existing structures; review of applications .....	SB 101
planning and development initiative extended; advisory committee, provisions changed .....	HB 368
state agencies, safety commissioner to adopt procedures .....	HB 372
state regulation clarified .....	HB 542am
telehealth technology, use barriers, resolution, study .....	HB 556

**Telephones**

enhanced 911 system	
reporting drug or alcohol related emergencies, legal immunity provided .....	HB 118
surcharge collected from prepaid cellular telephones .....	HB 284
state regulation clarified .....	HB 542am
wireless service facilities, existing structures; review of applications .....	SB 101

**Television and film commission, transferred to resources and economic development .....** HB 561

**Terrorism, New Hampshire liberty act .....** HB 399

**Theuner, John, doorkeeper, unanimous consent, congratulatory remarks by Rep. Diane Schuett .....** 533

**Timber**

great ponds, submerged log removal, permitting process established .....	SB 131
incinerators, ban on incidental combustion of untreated wood at transfer stations .....	HB 517

**Timber (cont.)**

- incinerators, ban on incidental combustion of untreated wood at transfer stations, repealed .....SB 31
- outdoor fires, violations .....SB 31am
- state land, sales, contractors, workers' compensation procedures clarified .....HB 203

**Title loans**, interest rate capped at 36 percent.....HB 562

**Title of nobility**, original 13th amendment to US Constitution, general court's ratification .....HB 638

**Tobacco products**

- sales, licensing authority transferred to revenue administration from liquor commission.....HB 637
- settlement, attorney general authorized to join.....SB 199

**tax**

- "cigarette" redefined to match definition under Master Settlement Agreement .....HB 488
- rate increased .....HB 2
- .....HB 659
- rate increased, repealed .....HB 335
- rate, other than cigarettes, changed .....HB 490
- stamp purchasers, refunds limited; exception .....HB 487
- use prevention and cessation program, fund, revenues from tax.....HB 490

**Tort actions**, attorney's fees and court costs paid by losing party .....HB 107

**Towers**, wireless service facilities, modification on existing structures; review of applications .....SB 101

**Town clerks**, vital records fees increased; deposited in vital records improvement fund.....HB 2am

**Town meeting****official ballot form**

- adaptations of default budget and amendment of petitioned warrant articles permitted .....HB 280
- default budget, amend at deliberative session, permitted; more than 10 percent prohibited .....HB 460
- Greenland school district meeting and election held March 11 and 12, 2013 ratified .....HB 139am
- inspectors appointed by political parties serve as ballot clerks, requirement eliminated .....HB 150
- petitioned warrant articles may not be amended.....HB 423
- solid waste management districts, withdrawal and bonding approval, time extended.....HB 139
- warrant articles, topical description of substance.....HB 138am

**Town treasurers**

- duties, payment of out of town moneys, manifest required .....HB 522
- investment of public funds, options modified .....SB 172

**Towns**

- absentee voting, voter applicant information from secretary of state or town clerk; fees .....HB 412
- adequate education, funding, grants, amount increased .....HB 2am
- assessing standards board
  - formula for municipal reimbursement of assessment costs, requirement repealed.....HB 147am
  - members, appointment, population requirement lowered .....HB 182
- bed bug infestation in rental housing, responsibility addressed .....HB 482
- boundary lines, perambulation, GPS coordinates required.....HB 198
- bridge replacement, reimbursement from state.....HB 684
- capital reserve funds, management.....HB 297
- capital reserve funds, expenditure plan; electronic billing on customer request.....SB 111am
- charters, adoption, revision, and amendment procedures revised .....HB 422
- community revitalization tax relief program, historic structure rehabilitation included .....SB 80
- conservation commission members may be elected.....SB 102
- construction aid from transportation, payments adjusted based on estimated revenue .....HB 617
- contingency funds, establishment allowed .....HB 134
- electric generation facilities, apportionment formula for cooperative school districts, study.....HB 305
- electric power, energy efficiency and clean energy districts, laws, amended.....HB 532
- flood control, reimbursement, prospective repeal repealed.....HB 2
- hazardous materials accidents, liability for response explained.....HB 577
- health officers, outdoor fires, violations under certain circumstances .....SB 31am
- highway construction aid, payments adjusted based on estimated revenue .....HB 2am
- incinerators, ban on untreated wood at municipal transfer stations, exemption repealed .....HB 517
- incinerators, ban on untreated wood at municipal transfer stations, repealed.....SB 31
- insurance, transfer, under Patient Protection and Affordable Care Act of 2009, study .....HB 355
- inter-municipal regional water plans, permitted.....HB 634
- International Council for Local Environmental Initiatives, funding prohibited.....HB 144



**Towns (cont.)**

land use, municipality may deny proposal based on nonconformity with regulations.....	HB 191
libraries, governance, board of trustees or selectmen, town may choose.....	HB 436
master plans, coastal management provisions addressing storm surge, flooding.....	SB 164
meals and rooms tax distribution, funding levels.....	HB 2
meeting votes to be recorded in public record.....	HB 128
motor vehicles, publicly owned, identifying marking required.....	HB 567
“municipally-owned utility” relocating underground necessitated by highway projects.....	SB 188
municipal budget law, warrant articles submitted by sewer and water commission.....	SB 197am
municipal road and bridge account established.....	HB 617
Newfound, tax cap for 2014, not include previous fiscal year lapsed balances.....	HB 101
NH Local Government Center, hearings officer’s report, study.....	HB 283
optional property tax credit amended for service-connected total disability.....	HB 446
ordinances, not restrict residency of sexual offenders or offenders against children, study.....	HB 442am
ordinances, and codes, adoption, hearings, time periods extended.....	HB 506
police officers, citizens complaints, procedure.....	HB 381
pooled risk management programs, potential changes to RSA 5-B, study.....	HB 283
property held in another town for water works or flood control, voluntary agreement.....	SB 58
recycling programs, revolving funds used to maintain.....	HB 126
regional planning commissions, village districts may join.....	HB 365
revenue sharing suspended.....	HB 2
selectmen, appointment to serve on school board authorized.....	HB 589
state and municipal road and bridge account established.....	HB 2am
state-owned real estate, purchase time period.....	HB 550
<b>taxes</b>	
calculation of local tax cap adjusted.....	SB 2
exemptions for farm buildings and structures, local option.....	HB 531
exemptions, credits, or deferrals, property, publications of names prohibited; penalties.....	HB 298
meals and room, revenue data, collection and public availability required.....	HB 662
property, bills, due date extended.....	HB 593
property, deferral, paid to municipality granting deferral upon sale of property.....	HB 655
property, historic structures, qualifying buildings, appraisal at market value percentage.....	SB 43
property, part year veterans’ credits granted.....	HB 176
property, residences in industrial or commercial zone, appraisal.....	HB 438
rates may be graduated.....	CACR 2
<b>trust funds</b>	
management, amended.....	HB 297
special use vehicle permit fees used for recycling and reclamation of solid waste.....	HB 112am
vital records, fees increased; portion deposited in general fund, requirement removed.....	SB 128
wastewater and supply projects, priority to municipal projects not funded in 2012-2013.....	HB 397
water and/or sewer utility districts, establishment permitted.....	SB 11am
workforce housing, municipalities allocate no less than 5 percent of their dwelling units.....	HB 215
<b>Toxic wastes</b> , accidents, liability for response.....	HB 577
<b>Tracking</b> , electronic devices, use without consent or court order prohibited; exceptions.....	HB 592
<b>Trade and commerce</b>	
debt collection practices, laws, study.....	HB 339am
<b>Trade and commerce</b>	
fraud, Financial Resources Mortgage, Inc., recovery fund for victims.....	SB 180
home heating guaranteed price plans and prepaid contracts, methods amended.....	HB 566
home heating guaranteed price plans and prepaid contracts, reporting for dealers required.....	SB 114
motor vehicle manufacturers, distributors, and dealers, business practices revised.....	SB 126
uniform commercial code, funds transfer provisions and Electronic Fund Transfer Act.....	HB 559am
<b>Trails</b>	
Jericho Mountain, OHRV operation of certain 4-wheel drive vehicles allowed.....	HB 349
OHRVs, size and weight limitations increased in Coos and Grafton county.....	HB 574am
<b>Transportation</b>	
autonomous vehicles, study.....	HB 444
personal rapid transit systems, study.....	HB 152
railroad crossing restoration, railroad responsible for costs.....	HB 245
sale of naming rights for certain structures, study.....	HB 534

**Transportation department**

10 year plan, temporary road toll surcharge funds to improve rural and town roads .....	HB 667
appropriation from highway fund for resurfacing portion of East Conway Road.....	HB 340
bridge replacement, reimbursement to municipalities from state.....	HB 684
capital improvements appropriation, highway fund; lapse dates extended .....	HB 25
commissioner	
lease-purchase agreements for vehicles and equipments authorized.....	HB 2
status report on highway fund to various committees and governor and council.....	HB 1
transfer of funds within accounting units authorized.....	HB 2
construction aid, payments to municipalities adjusted based on estimated revenue .....	HB 617
driveway permits, administrative procedure, rules, exemption; parcel defined.....	HB 117
E-ZPass regional toll collection system, terminology and penalties changed.....	SB 160am
federal assistance grants for emergency responses collected by appropriate agency.....	HB 2
highway and bridge aid, village districts with more than 3 miles of class V .....	HB 425
highway construction aid, payments to municipalities adjusted based on estimated revenue .....	HB 2am
highway fund, allocation suspended.....	HB 2
inventory fund, changed from public and highway department inventory fund .....	SB 28
Memorial Bridge in Portsmouth, appropriate signage, funding authorized.....	HB 25am
motorist service signs, program, rulemaking exemption; rental fee setting process, rules .....	SB 29am
patrol shed and salt storage, 2011 capital improvements appropriation amended .....	HB 25am
personal rapid transit systems, feasibility, study .....	HB 152
projects, highways, prohibited unless noise levels are below 65 decibels .....	HB 391
rail transit authority scope expanded to include freight .....	HB 162

**Treasurer**

other post-employment benefits (OPEB) trusts, may establish .....	HB 2am
temporary special fund for hospital programs .....	HB 2
state, investment of public funds, options modified.....	SB 172

**Trials**, expert witnesses, disclosure in criminal cases, depositions, recording allowed.....SB 105am

**Tri-county community action program**, revolving loan fundHB 2am

**Trust companies**

incorporation board, repealed, duties transferred to banking commissioner .....	HB 560
non-depository	
criminal history checks required for persons seeking to form financial institution.....	HB 559
“qualified institutions,” how financial institutions are audited and inspected, defined .....	HB 559

**Trust funds**, towns and cities, management, amended..... HB 297

**Trusts**

funds, special use vehicle registration fees used for recycling and reclamation of solid waste.....	HB 112am
other post-employment benefits (OPEB) trusts, state treasurer may establish.....	HB 2am

**U****Unanimous Consent**

Bailey, Hon. Brad, memorial remarks for Hon. Raymond Burton.....	1076-1077
Baldasaro, Hon. Alfred, observation of Welcome Home Veterans Day .....	592-594
Baldasaro, Hon. Alfred, Marine Corps birthday celebration.....	1019-1021
Boehm, Hon. Ralph, memorial remarks for Hon. Leon Calawa, Jr. ....	100
Flockhart, Hon. Eileen, memorial remarks for Hon. James Kennedy .....	129
Graham, Hon. John, observation of Memorial Day.....	793
Hess, Hon. David, memorial remarks for Hon. Warren Rudman.....	130-131
Hess, Hon. David, Civil War.....	947-948
Infantine, Hon. William, memorial remarks for Hon. Sahir Tahir.....	1018
Jones, Hon. Laura, memorial remarks for Hon. Al Bemis .....	1075-1076
Levesque, Hon. Melanie, memorial remarks for Hon. Henry Richardson .....	169-170
Notter, Hon. Jeanine, memorial remarks for Hon. Robert Kingsbury.....	1018-1019
Perry, Hon. Robert, assassination of John F. Kennedy .....	1077-1078
Rice, Hon. Frederick, memorial remarks for fallen soldier, Lt. Paul DeMeo.....	793-794
Richardson, Hon. Herbert, memorial remarks for Hon. Leighton Pratt .....	948-949
Rogers, Hon. Katherine, memorial remarks for Hon. Robert F. Kennedy .....	920
Schuett, Hon. Dianne, congratulatory remarks for Doorkeeper John Theuner .....	533
Shattuck, Hon. Gilman, memorial remarks for Hon. Herbert Hansen .....	998

**Unanimous Consent (cont.)**

Vaillancourt, Hon. Steve, Defense of Marriage Act, Supreme Court Ruling .....	949
Vaillancourt, Hon. Steve, cultural diversity .....	1022
Whittemore, Hon. Lisa, observation of Memorial Day .....	817

**Uncompensated care fund**, Medicaid enhancement tax, allocation and use modified..... HB 2

**Underground storage facilities**, certification, repeat examination prohibited..... HB 628

**Unemployment compensation**

allowance in lieu of regular benefits paid to those in self-employment assistance programs.....	SB 143
employment definition applies to house of representatives members .....	HB 310
fraud, employers and recipients, restitution and penalties.....	HB 246am
fund, former and current employers to make joint restitution in certain situations .....	HB 360
hearings, employers to provide proof of misconduct .....	HB 200
worksharing reporting requirements, conform to Federal Unemployment Tax Act.....	HB 361

**Uniform laws**, commercial code, funds transfer provisions and Electronic Fund Transfer Act..... HB 559am

**United States****Congress**

independent redistricting commission established .....	HB 579
urged to fund a comprehensive health care delivery system for NH veterans.....	HCR 1
urged to fund a comprehensive health care delivery system for NH veterans.....	SCR 1
urged for amendment that human beings, not corporations have constitutional rights.....	HCR 2
urged for amendment that human beings, not corporations have constitutional rights.....	SCR 2

**Constitution**

delegation urged for amendment to regulate campaign spending by entities created by law.....	HR 7
original 13th amendment, general court's ratification recognized.....	HB 638
patriotic exercises in public schools on federal Constitution Day .....	HB 159
Food and Drug Administration, medication not approved, physicians authorized to dispense.....	HB 452

**University of NH**

funding for Green Launching Pad from renewable energy fund.....	HB 2
industrial cooperative program development, study .....	HB 537
leadership program, education department to expend funds for biennium.....	HB 2
police officers, permanent, buy into retirement system group II .....	HB 473
system	
administration changed.....	HB 603
appropriations and expenditures.....	HB 25
distribution report of academic scholarships awarded to full-time in-state students .....	HB 2am
excess receipts may be expended .....	HB 1
in-state tuition, students without lawful immigration status; procedures.....	HB 474
New Hampshire Scholars Program for high school students.....	HB 642
STEM scholars program.....	HB 643
veteran's residency requirement for in-state tuition waived .....	HB 624

**V****Vaillancourt, Hon. Steve**

unanimous consent, Defense of Marriage Act, Supreme Court Ruling.....	949
unanimous consent, cultural diversity .....	1022

**Veterans**

Congress urged to fund a comprehensive health care delivery system.....	HCR 1
Congress urged to fund a comprehensive health care delivery system.....	SCR 1
disabled	
special number plates for veterans without charge in lieu of disabled veteran plates .....	HB 163
totally, optional property tax credit amount amended.....	HB 446
home	
2009 capital improvements appropriation purpose amended .....	HB 25am
biannual report to legislature; filing requirements .....	HB 2am
capital improvements appropriation .....	HB 25
utility costs, appropriation.....	HB 2am
military experience to satisfy occupational boards requirements for regulated professions .....	HB 234
NH medal of honor eligibility requirements revised .....	HB 220
debate printed .....	141-142
part year veterans' credits granted by towns during year of acquisition of property.....	HB 176

**Veterans (cont.)**

post-traumatic stress disorder and traumatic brain injuries, study extended .....	SB 90am
Purple Heart toll pass.....	HB 244
residency requirement for in-state tuition at University of NH waived .....	HB 624
special number plates, Purple Heart recipients, surviving spouse to retain .....	SB 47
state employment, preference in hiring policy, study.....	SB 90
tax credits, notarized statement of service letter establishes status.....	HB 518

<b>Veterinary diagnostic laboratory, permanent funding options, study.....</b>	<b>HB 547</b>
--	---------------

<b>Victims, of crime, rights of immediate family amended.....</b>	<b>SB 136</b>
---	---------------

**Video lottery**

gaming oversight authority to regulate; gaming enforcement division in safety department .....	HB 678
table gaming, one location; proceeds to various programs; effects on community, study.....	SB 152am
two locations; permit process; proceeds to highway fund and bridge and construction repair.....	HB 665

**Village districts**

meetings, official ballot form, petitioned warrant articles may not be amended .....	HB 423
more than 3 miles of class V public roads, eligible for highway and bridge aid.....	HB 425
water and/or sewer utility districts, establishment permitted; intermunicipal agreements.....	SB 11am

**Vital records**

fees increased; portion of fee deposited in vital records improvement fund.....	HB 2am
fees, portion retained by town clerk increased; portion in general fund, requirement removed.....	SB 128

**W****Wages****minimum**

rate; labor commissioner, wage to reflect cost of living, general court majority vote required .....	HB 127
state hourly rate established .....	HB 241

..... HB 501am

payroll, electronic fund transfer, option of payment by check requirement deleted .....	HB 357am
---	----------

payroll, electronic fund transfer, option of payment by check requirement deleted .....	SB 100am
---	----------

<b>Warren Brook restoration project, approved; public use study extended.....</b>	<b>SB 57</b>
---	--------------

**Water**

infrastructure sustainability funding, study repealed.....	HB 189
--	--------

inter-municipal regional water plans, permitted.....	HB 634
--	--------

**pollution**

control facilities, state contribution required.....	HB 338
--	--------

control facilities, tax exemptions apply only to net book value .....	HB 672
---	--------

fertilizers, containing nitrogen and phosphorus, limit on sale and use .....	HB 393
--	--------

property held in another town for water works or flood control to enter into voluntary agreement .....	SB 58
--	-------

public systems, installation of backflow prevention device required; testing required.....	HB 510am
--	----------

resources management and protection provisions included in planning board master plans .....	HB 634
--	--------

systems, district energy system, hot water companies exempt.....	SB 74
--	-------

wastewater and land fill closure projects, state aid, funds appropriated .....	HB 623
--	--------

wastewater and public supply projects, priority to municipal projects not funded in 2012-2013.....	HB 397
--	--------

<b>Water commission, and sewer, warrant articles submitted, default budget included .....</b>	<b>SB 197am</b>
---	-----------------

<b>Water treatment technicians, voluntary certification by mechanical licensing board.....</b>	<b>SB 189</b>
--	---------------

**Waters**

instream flow pilot program, extend for 2 years; study .....	HB 588am
--	----------

public, state land on shores, construction, temporary license by PUC.....	SB 175am
---	----------

sea level projections, other coastal and watershed hazards, commission.....	SB 163am
---	----------

shoreland protection act, minimum standards, certain provisions modified .....	HB 513
--	--------

**wetlands**

excavating permits, decision appeal process shortened .....	HB 416
---	--------

excavating permits, maximum application fee limited for municipal dredging projects .....	HB 507
---	--------

<b>Weather modification experimentation, law repealed .....</b>	<b>HB 179</b>
---	---------------

<b>Weights and measures, oil, home heating, delivery invoice to include certain pricing information .....</b>	<b>HB 149</b>
---	---------------

**Welcome centers**

currently closed, staffing study.....	HB 635
---------------------------------------	--------

naming rights, sponsorship proposals solicited .....	HB 635am
--	----------

<b>Welcome Home Veterans Day</b> , unanimous consent, remarks by Rep. Alfred Baldasaro .....	592-594
<b>Wetlands</b>	
excavating permits	
decision appeal process shortened.....	HB 416
maximum application fee limited for municipal dredging projects .....	HB 507
excavating, highway maintenance, damages to private property, procedure .....	HB 543
integrated land development permit .....	SB 124
<b>White Mountain National Forest</b> , special use permits for property .....	SCR 1
<b>Whitefield</b> , town, naming of the Burns Bridge over the Johns River.....	SB 115
debate printed.....	239
<b>Whittemore, Hon. Lisa</b> , unanimous consent, Memorial Day .....	817
<b>Wildlife</b> , interstate wildlife violators compact adopted.....	SB 133
<b>Winant, John Gilbert</b> , memorial, study .....	HB 262
<b>Wind power</b>	
facilities, siting and construction, study .....	SB 99am
turbine plants, construction moratorium.....	HB 580
<b>Wine</b>	
home production for personal or family use authorized and regulated.....	HB 237
NH manufacturers	
advertising as a NH farm winery prohibited; exception, qualifications.....	HB 491
may sell at retail and wholesale; sell product manufactured by others, including beer.....	HB 331
promotion of NH liquor and wines required; annual report.....	HB 226am
promotion of NH wines, study .....	HB 226
special shelving in state liquor stores; annual report .....	HB 175
purchasing and pricing, study .....	HB 468
<b>Witnesses</b>	
criminal cases, fees, register maintained by prosecutor .....	SB 151
expert, disclosure in criminal case; depositions, recording allowed, notice to adverse party .....	SB 105am
tampering, misdemeanor offense established .....	HB 431
<b>Wood</b>	
untreated, ban on combustion in incinerators at transfer stations, exemption repealed .....	HB 517
untreated, ban on combustion in incinerators at transfer stations, repealed.....	SB 31
<b>Wood stoves</b> , removal required upon sale of home, notification to environmental services required ....	HB 307
<b>Workers' compensation</b>	
appeals board, appeals transferred to superior court from supreme court.....	HB 647
civil penalty for failure of payment assessed by labor commissioner.....	HB 171
contractors, state projects and state land timber sales, procedures clarified .....	HB 203
coverage, non-payments, private right of action by one employer against another .....	HB 169
independent medical examinations, disclosure notice from employer or insurance carrier .....	HB 546am
law	
certain amendments .....	HB 255
medical costs and payments, study .....	HB 255am
pharmacy benefits, pharmacy fee reimbursement formulas .....	SB 95
prescription drugs	
generic equivalent required; exceptions .....	SB 147am
use and misuse in cases, study .....	SB 71
right of discovery to investigation of claims; attorneys fees paid in certain circumstances .....	HB 373
weekly payments changed .....	HB 439
<b>Workforce housing</b> , municipalities allocate no less than 5 percent of dwelling units.....	HB 215
<b>Wrestling</b> , and boxing commission, licensure and renewal of fees .....	HB 654

## Y

<b>Youth development center</b> , shelter care facilities, court ordered placements .....	SB 129
---	--------

**Z****Zoning**

archaeological deposits, protection or preservation in master plans .....	SB 12am
boards of adjustment, variances, expiration; exceptions .....	SB 50
buildings, construction, lot access to class VI or better highway via private right-of-way .....	HB 113
definitions, community .....	HB 215
fire sprinkler systems, voluntary installation as condition of local permit approval.....	HB 278
inter-municipal regional water plans, permitted .....	HB 634
master plans, coastal management provisions addressing storm surge, flooding.....	SB 164
ordinances, innovative land use control, cottage housing development.....	HB 347
outdoor advertising, Ragged Mountain Pacific, LLC, Danbury.....	SB 62
planning boards, master plan, water management and protection provisions .....	HB 634
planning boards, subdivisions, appeals to board of adjustment prior to superior court .....	SB 49
subdivisions, abutter, easement required .....	HB 114
workforce housing, municipalities allocate no less than 5 percent of dwelling units .....	HB 215